



Arlington Zoning Board of Appeals

Date: Tuesday, October 26, 2021
Time: 7:30 PM
Location: Conducted by remote participation
Additional Details:

Agenda Items

Administrative Items

1. **Remote Participation Details**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

Please read Governor Baker's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

You are invited to a Zoom meeting.

When: Oct 26, 2021 07:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:

<https://town-arlington-ma-us.zoom.us/join>
https://town-arlington-ma-us.zoom.us/meeting/register/tZYscuCsrtGqH9dPsafkjqRTrQ_O12a0ArVz

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID: 821 5943 3053

Find your local number: <https://town-arlington-ma-us.zoom.us/join>

Dial by Location: 1-646-876-9923 US (New York)

2. **Members Vote: Approval of Meeting Minutes - July 13, 2021**
3. **Members Vote: Approval of Meeting Minutes - July 26, 2021**
4. **Members Vote: Approval of Meeting Minutes - October 5, 2021**
5. **Members Vote: Approval of Decision for 20-20A Lafayette Street**
6. **Members Vote: Approval of Decision for 24 Ottawa Road**

7. **Members Vote: Approval of Decision for 43 Foxmeadow Lane**
8. **Members Vote: Approval of Decision for 18 Heard Road**

Hearings

9. **Docket # 3666: 14-16 Egerton Road**
10. **Docket # 3670: 5 Cheviot Road**
11. **Docket # 3674: 9-11 Adams Street**
12. **Docket # 3672: 43 Cutter Hill Road**
13. **Docket # 3668: 125-127 Webster Street**

Meeting Adjourn



Town of Arlington, Massachusetts

Docket # 3666: 14-16 Egerton Road

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__14-16_Egerton_Road_(2).pdf	ZBA Package, 14-16 Egerton Road (2)
▣ Memorandum	3666_14-16_Egerton_Rd.pdf	DPCD Memo re: 3666 - 14-16 Egerton Rd



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Sean Lyons** of Arlington, Massachusetts on August 20, 2021, a petition seeking permission to alter his property located at **14-16 Egerton Road - Block Plan 003.0-0002-0027.0** Said petition would require two (2) Special Permits under **Section 8.1.3 (B) and Section 6.1.10 (A)** respectively of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening October 12, 2021 at 7:30 P.M or as soon thereafter as the petitioner may be heard.** To join the meeting, please register using the following URL:

https://town-arlington-ma-us.zoom.us/meeting/register/tZlsd-usrDggHNAnU6BIRDmH_H6h9L-RPu5 for documentation relating to this petition, visit the ZBA website at **www.arlington.gov/zba**.

DOCKET NO 3666

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**



BOARD OF APPEALS
Town of Arlington
Arlington, Massachusetts 02476

51 Grove Street
Telephone (781) 316-3396

Administrators note regarding 14 – 16 Egerton Road.

The Applicant is seeking two Special Permits.

He would like to increase the Gross Floor Area by way of a 28' dormer and add some living space in the basement as well.

The lot lacks sufficient Usable Open Space and a Special Permit would be required to extend the non-conformity.

In addition, he would like to install a second driveway as shown on the plot plan.

This would also require a Special Permit.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For Applications to the Zoning Board of Appeals

1. Property Location: 14-16 Egerton Road Zoning District: R-2
2. Present Use/Occupancy: Two Family No. of dwelling units 2
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
2740 Sq. Ft.
4. Proposed Use/Occupancy: Two Family No. of dwelling units 2
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3485 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	4500	4500	min. 6000
7. Frontage (Ft.)	50'	50'	min. 60'
8. Floor area ratio	NA	NA	max. —
9. Lot Coverage (%)	34.02 ^{as}	34.02 ^{as}	max 35 %
10. Lot Area per Dwelling Unit (Sq. Ft.)	NA	NA	min. —
11. Front Yard Depth (Ft.)	14.1'	14.1'	min. 20'
12. Left Side Yard Depth (Ft.)	5.7'	5.7'	min. 10'
13. Right Side Yard Depth (Ft.)	14.5'	14.5'	min. 10'
14. Rear Yard Depth (Ft.)	22'	22'	min. 20'
15. Height (Stories)	2.5	2.5	max. 2.5
16. Height (Ft.)	33'	33'	max. 35'
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	660 ⁴	660 ⁴⁵	10 %
17A. Landscaped Open Space (% of GFA)	24.09%	18.94%	min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	0	0	
18A. Usable Open Space (% of GFA)	0	0	min. 30 %
19. Number of Parking Spaces	3	4	min. 2
20. Parking area setbacks (if applicable)	NA	NA	min.
21. Number of Loading Spaces (if applicable)	NA	NA	min.
22. Type of construction	5	5	N/A
23. Slope of proposed roof(s) (in. per ft.)	> 3/12	> 3/12	min. 2/12

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 14-16 ELGERTON RD Zoning District: R-2

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	<u>4500</u>	<u>4500</u>
Open Space, Usable	<u>0</u>	<u>0</u>
Open Space, Landscaped	<u>660 # 24.09 %</u>	<u>660 # 18.91 %</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	<u>NA</u>	<u>NA</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>0</u>	<u>585</u>
1 st Floor	<u>1170</u>	<u>1170</u>
2 nd Floor	<u>1170</u>	<u>1170</u>
3 rd Floor		
4 th Floor		
5 th Floor		
Attic (greater than 7'-0" in height, excluding elevator machinery; or mechanical equipment)	<u>400</u>	<u>560</u>
Parking garages (except as used for accessory parking or off-street loading purposes)		
All weather habitable porches and balconies		
Total Gross Floor Area (GFA)	<u>2740 #</u>	<u>3485 #</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)	<u>274 #</u>	<u>348 #</u>
Landscaped Open Space (% of GFA)	<u>24.09 %</u>	<u>18.91 %</u>
Usable Open Space (Sq. Ft.)	<u>822 #</u>	<u>1045 #</u>
Usable Open Space (% of GFA)	<u>0</u>	<u>0</u>

This worksheet applies to plans dated 7-16-21 designed by ROGER

Reviewed with Building Inspector: RJV Date: 10-3-21

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of Sean Lyons, 14-16 Egerton Road
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Two (2) Special Permit Requests
Section 8.1.3(B) Lack of Usable Open Space
Section 6.1.10(A) Request For Second Driveway

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 14-16 Egerton Road with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

Addition Living Space is desired. Due to Usable Open Space Restrictions A Special Permit is Required.
A Second Driveway is desired for safety and convenience

E-Mail: LYONS@LYONSFCI.COM Signed: Sean Lyons Date: 10-1-21
Telephone: 781 697 5853 Address: 6 Dooly Ct, Arlington

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board's determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

The Use is Allowed By Right. This Property Will
Remain A Two Family Dwelling.

B). Explain why the requested use is essential or desirable to the public convenience or welfare.

The Second Driveway Will Be Safe And
More Convenient

C). Explain why the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

No Change, Use Is The Same

D). Explain why the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

No Change, Use Is The Same

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

Use will remain a Two Family Dwelling

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

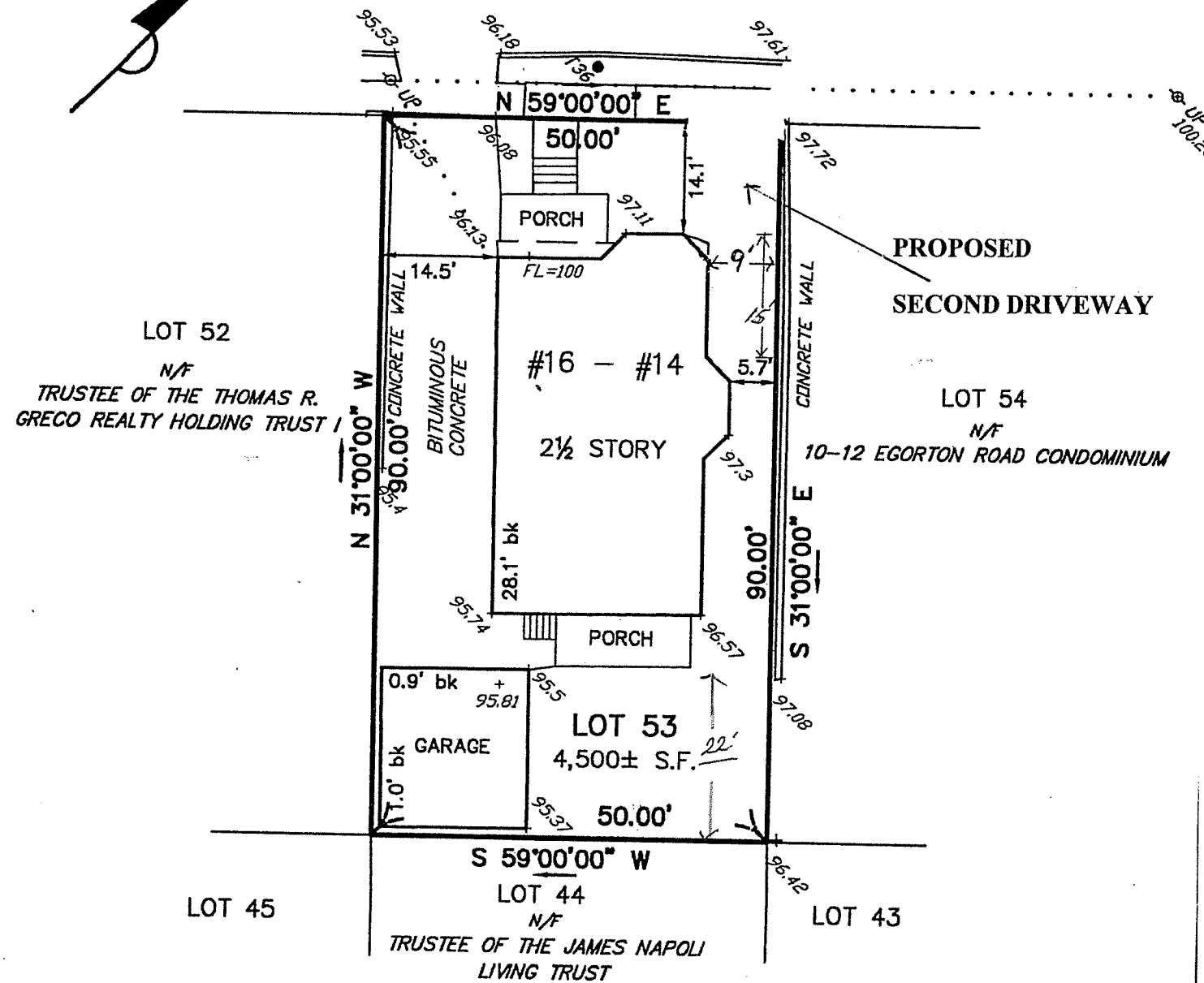
Proposed use will blend with the neighborhood

G). Explain why the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

There is no proposed change in use.

BRENDEN 781 648 0388

EGERTON ROAD



I HEREBY CERTIFY THAT THE BUILDING IS
LOCATED AS SHOWN.

PREPARED FOR: SEAN LYONS

PROPOSED PLOT PLAN
#14-16 EGERTON ROAD
IN
ARLINGTON, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 6/1/2021



ROBER SURVEY

1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02476

(781) 648-5533 of 109

6473PP1.DWG

CLIFFORD E. ROBER, PLS DATE

THIS PLAN MAY HAVE BEEN ALTERED IF
THE SIGNATURE IS NOT SIGNED IN BLUE.

Proposed Renovation
14-16 Egerton Road
Arlington, MA

Brendan
781-697-5853

Proposed Renovation
14-16 Egerton Road
Arlington, MA

DATE: 09/06/20
SCALE: AS NOTED
DRAWN BY: SK
CHECKED BY: NRH

DRAWING INDEX

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A-3	PROPOSED ELEVATIONS
S-1	ROOF FRAMING PLAN
S-2	CONSTRUCTION DETAILS
S-3	FRAMING DETAILS









SCOPE OF WORKS

PROPOSED RENOVATION OF EXISTING 2 FAMILY HOUSE.
REMOVE / REVENT EXISTING CHIMNEY RENOVATE BOTH
KITCHENS AND BATHROOMS AND INSTALL NEW SHED
DORMER ON THE THIRD FLOOR. NEW FRONT PORCH ON
NEW SONOTUBE FOOTINGS.

GENERAL NOTES

1. THE CONTRACTOR SHALL PAY FOR ALL PERMITS REQUIRED FOR THIS PROJECT.
2. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR MEANS, METHODS, TECHNIQUES, SEQUENCING, SCHEDULING AND SAFETY FOR THIS PROJECT.
3. ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL BUILDING CODES.
4. ALL ELECTRICAL & PLUMBING WORKS SHALL BE PERFORMED BY LICENSE ELECTRICIAN & LICENSE PLUMBER IN PERFORMANCE TO THE MASSACHUSETTS STATE BUILDING CODE.
5. PRIOR TO SUBMITTING A BID, THE GENERAL CONTRACTOR SHALL VISIT AND THOROUGHLY AQUATINTED WITH THE PROJECT.
6. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES BETWEEN DRAWINGS, SPECIFICATIONS AND FIELD CONDITIONS TO THE ARCHITECT IMMEDIATELY.
7. THE CONTRACTOR SHALL MAKE APPLICATION FOR ALL UTILITIES AND SERVICES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CLEANING OF HIS WORK. KEEP THE SITE CLEAR FOR ACCESS BY THE OWNER AND HIS FORCES DURING THE COURSE OF THE JOB.
9. THE CONTRACTOR SHALL NOTIFY OWNER AND ARCHITECT WHEN THE WORK IS READY FOR A FINAL PUNCH LIST.
10. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY WORK DAMAGED BY HIS FORCES WHILE PERFORMING THIS CONTRACT.
11. THE CONTRACTOR SHALL WARRANTEE HIS WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL COMPLETION.
12. DESIGN: IT IS INCUMBENT UPON THE CONTRACTOR TO BUILD THE PROJECT AS DESIGNED. ATTENTION SHOULD BE PAID TO THE DETAILS AS WELL AS THE OVERALL DESIGN. IF THERE ARE ANY QUESTIONS OR CHANGES TO BE MADE TO THE DESIGN THE ARCHITECT IS TO BE NOTIFIED BEFORE SAID CHANGES ARE MADE.

GRAPHIC SYMBOL LEGEND

-  NEW WALL TO BE CONSTRUCTED
-  EXISTING WALLS TO BE DEMOLISHED
-  EXISTING WALL TO REMAIN
-  PARTITION TYPE
-  DOOR SYMBOL
-  WINDOW SYMBOL
-  SMOKE DETECTOR
-  SECTION DETAIL REFERENCE

SMOKE/CO/HEAT
DETECTORS ALL
HARDWIRED AND
INTERCONNECTED
PER CODE

ARLINGTON FIRE DEPT.
REVIEWED: *Rpm*
DATE: *4-8-21*

HAZEH
AZEH
HAMMOURI P.E.
PROFESSIONAL ENGINEERING
47 Manfield Street
Everett, MA 02149
(857) 312 9212



REVISION:	DATE:

DRAWING TITLE:

COVER PAGE

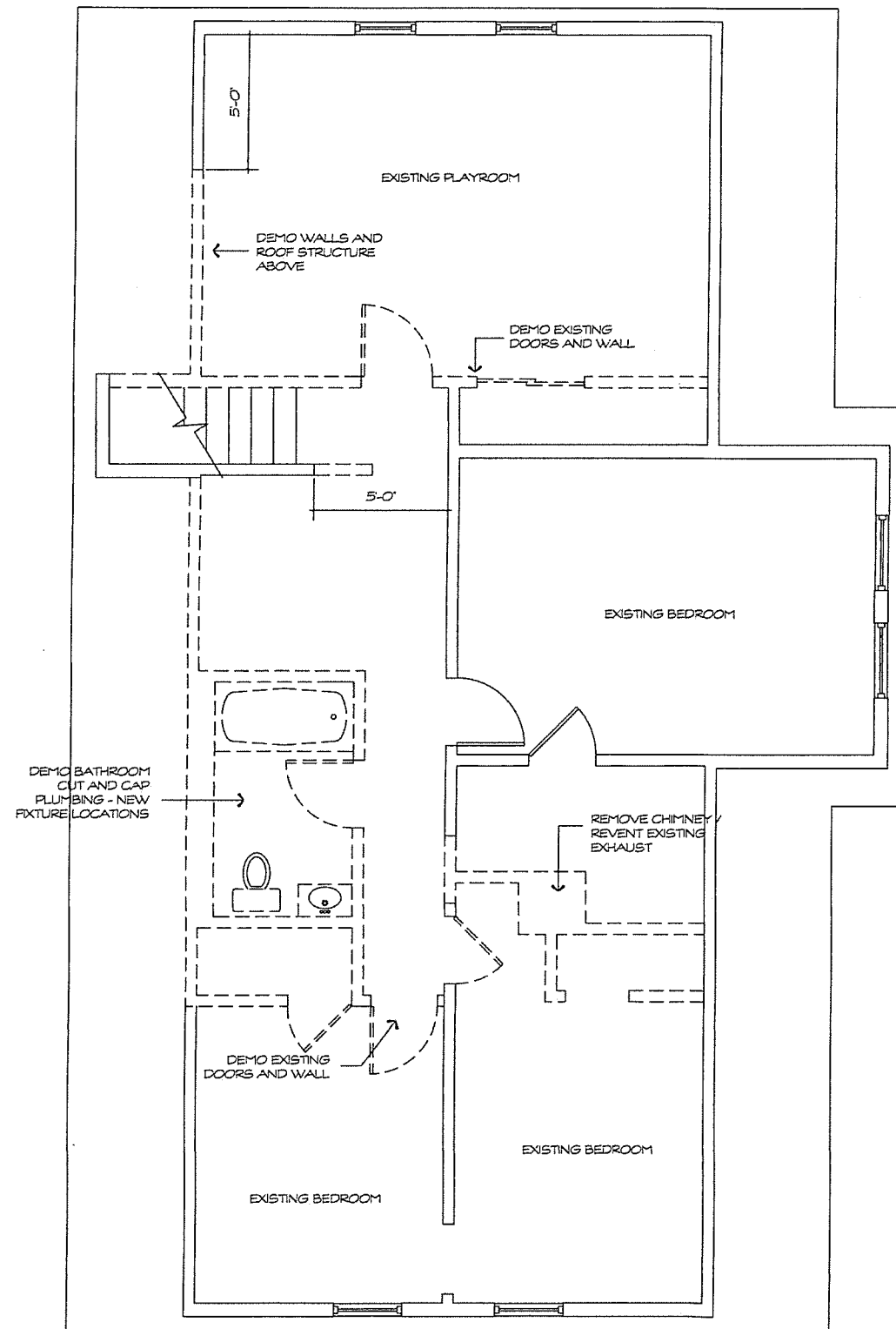
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T-1

DEMOLITION NOTES

1. REMOVE EXISTING FINISHES, INCLUDING BUT NOT LIMITED TO: CARPET, CERAMIC TILE, RESILIENT FLOORING, BASE AND WALL COVERINGS WHERE INDICATED AND AS REQUIRED. PREPARE SURFACES TO RECEIVE NEW FINISHES.
2. REMOVE EXISTING DOORS, FRAMES, STANDING AND RUNNING TRIM, EQUIPMENT, ACCESSORIES AND CASEWORK. PATCH FLOOR, WALLS AND CEILINGS AS REQUIRED TO RECEIVE NEW FINISHES.
3. REMOVE EXISTING PLUMBING FITTINGS WHERE APPLICABLE.
4. REMOVE ALL EXISTING ELECTRICAL DISTRIBUTION, RECEPTACLES AND FIXTURE WHERE APPLICABLE.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CLEANING OF HIS WORK. KEEP THE SITE CLEAR FOR ACCESS BY THE OWNER AND HIS FORCES DURING THE COURSE OF THE JOB.
6. SHORING & BRACING ARE REQUIRED PRIOR TO ANY BEARING WALLS TO BE REMOVED. PROPERLY SHORE & BRACE ALL BEARING WALLS AS REQUIRED WHICH ARE TO BE REMOVED.
7. LEGALLY DISPOSE OF ALL DEBRIS.

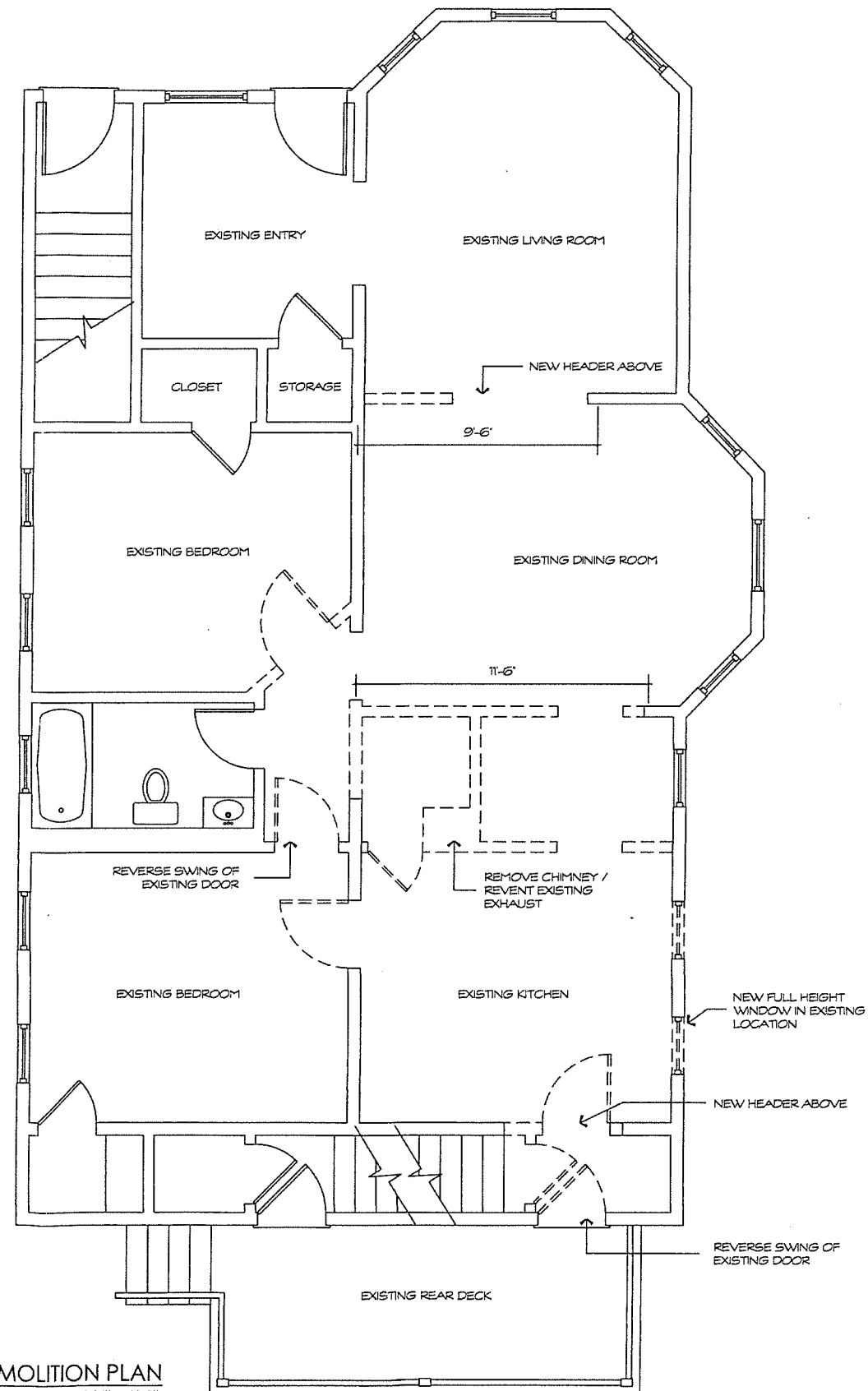
NOTE: ONCE DEMOLITION IS COMPLETED, THE CONTRACTOR IS TO REVIEW ALL EXISTING STRUCTURE AND REPORT ANY CONDITIONS THAT SEEM PROBLEMATIC.



THIRD FLOOR DEMO PLAN
SCALE: 1/4" = 1'-0"

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TYPICAL DEMOLITION PLAN
SCALE: 1/4" = 1'-0"



Proposed Renovation
14-16 Egerton Road
Arlington, MA

DATE: 09/06/20
SCALE: AS NOTED
DRAWN BY: SK
CHECKED BY: NRH

N AZEIH **H** AMMOURI P.E.
PROFESSIONAL ENGINEERING
47 Manfield Street
Everett, MA 02149
(857) 512 9212



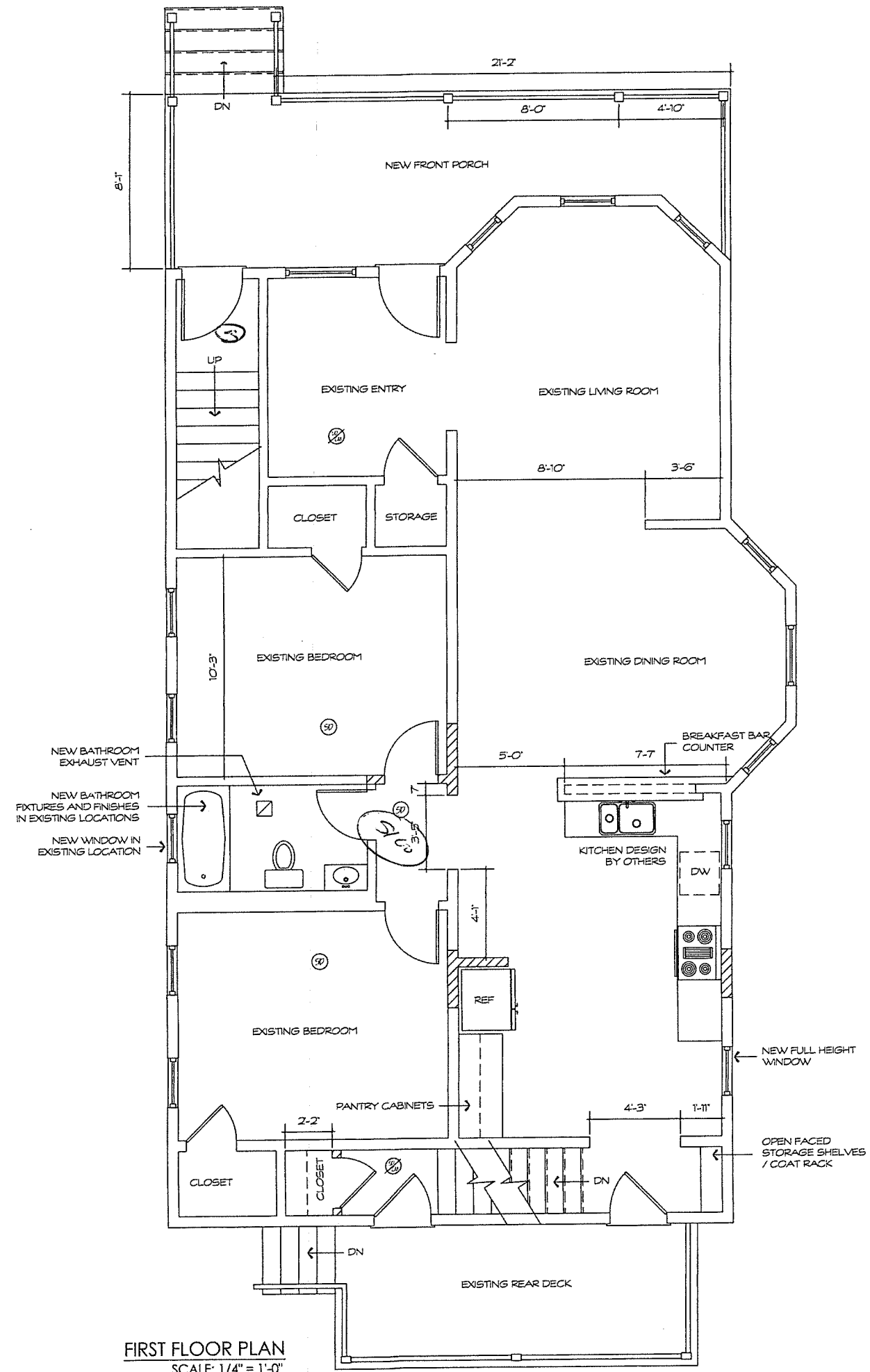
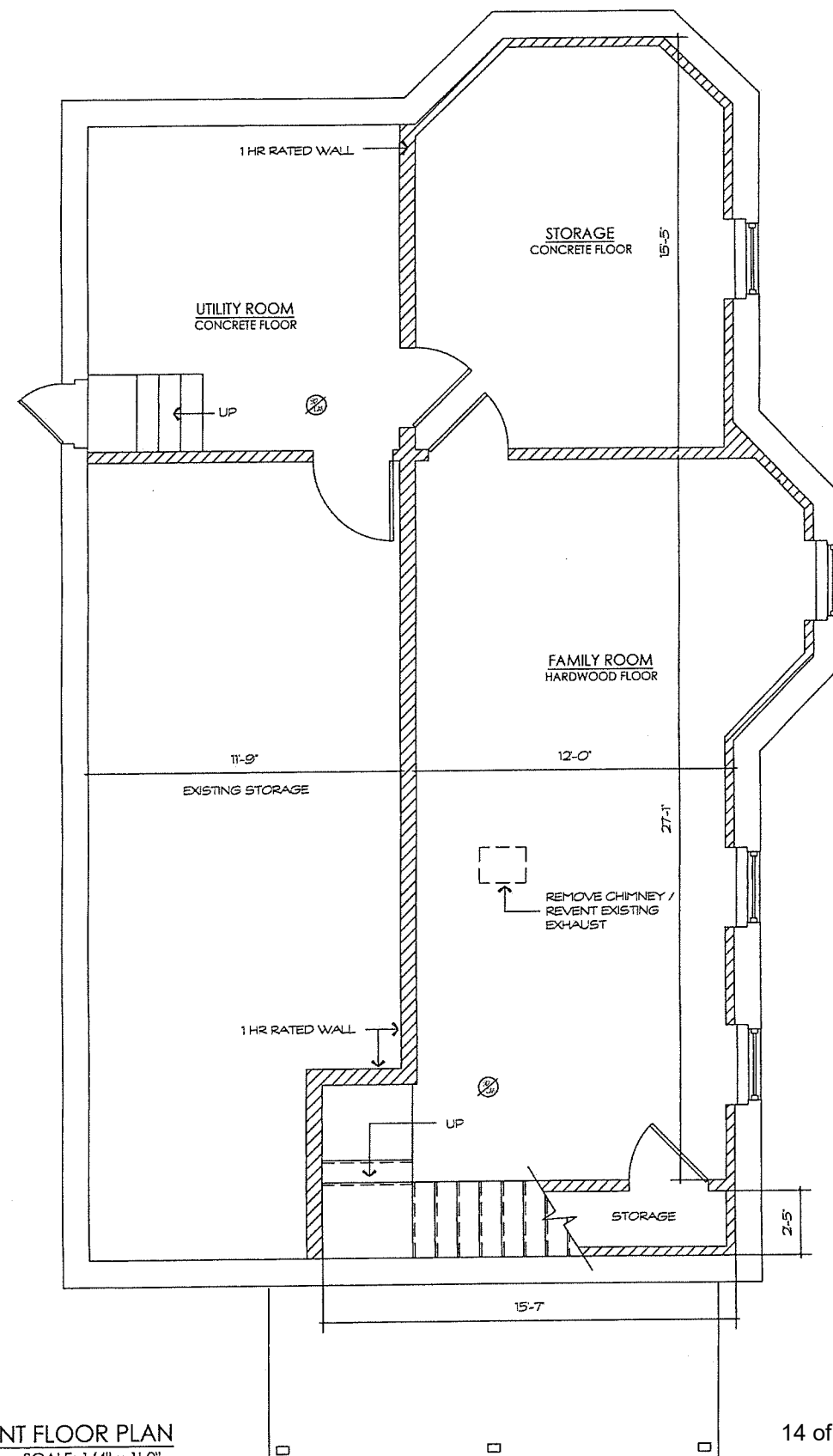
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DEMOLITION PLANS,
NOTES,

SHEET NUMBER:

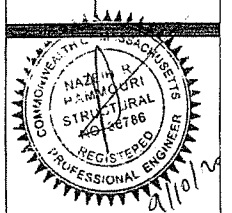
D-1



Proposed Renovation
14-16 Egerton Road
Arlington, MA

DATE: 09/06/20
SCALE: AS NOTED
DRAWN BY: SK
CHECKED BY: NRH

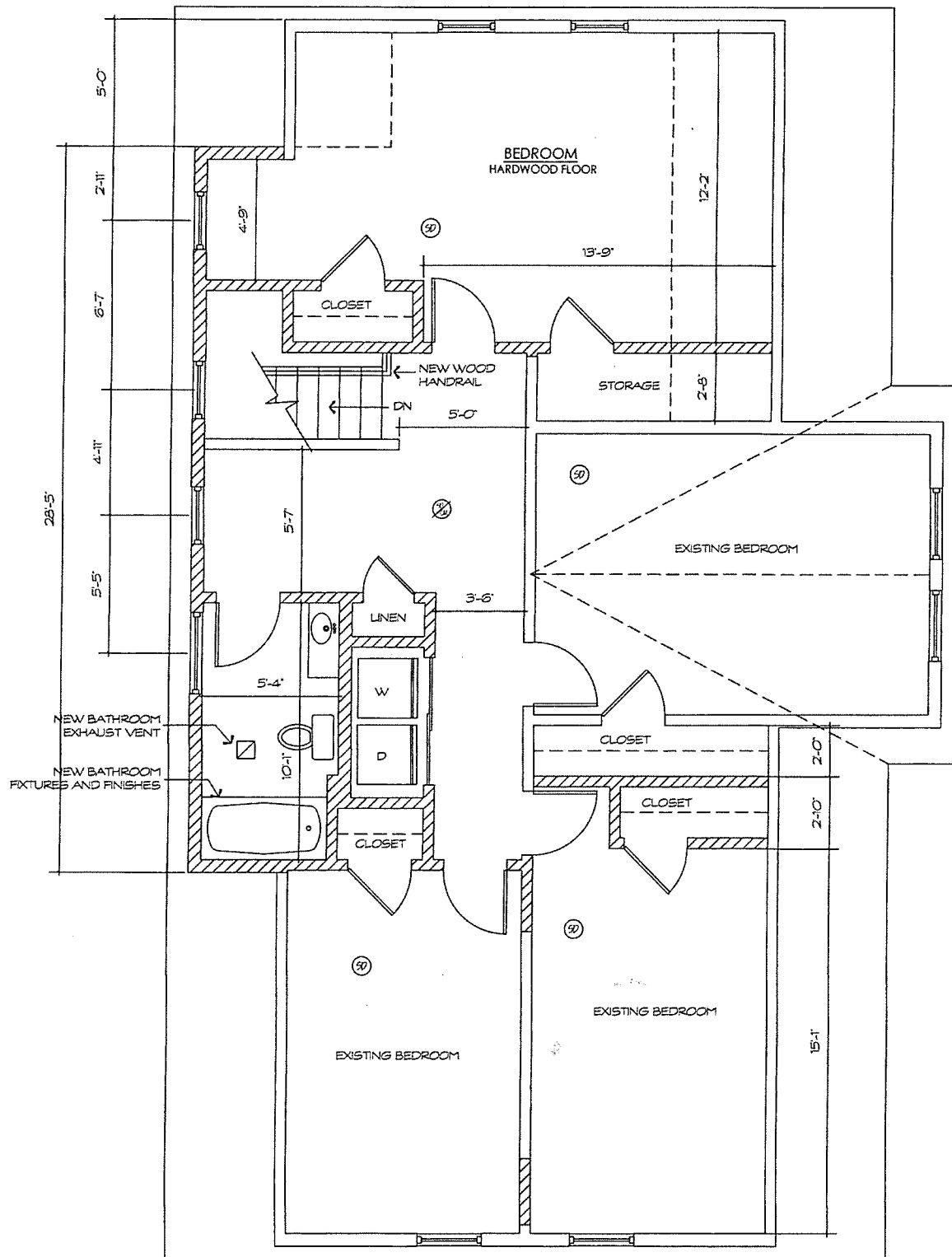
HAZEH AMMOURI P.E.
PROFESSIONAL ENGINEERING
47 Manfield Street
Everett, MA 02149
(857) 312 9212



REVISION:	DATE:

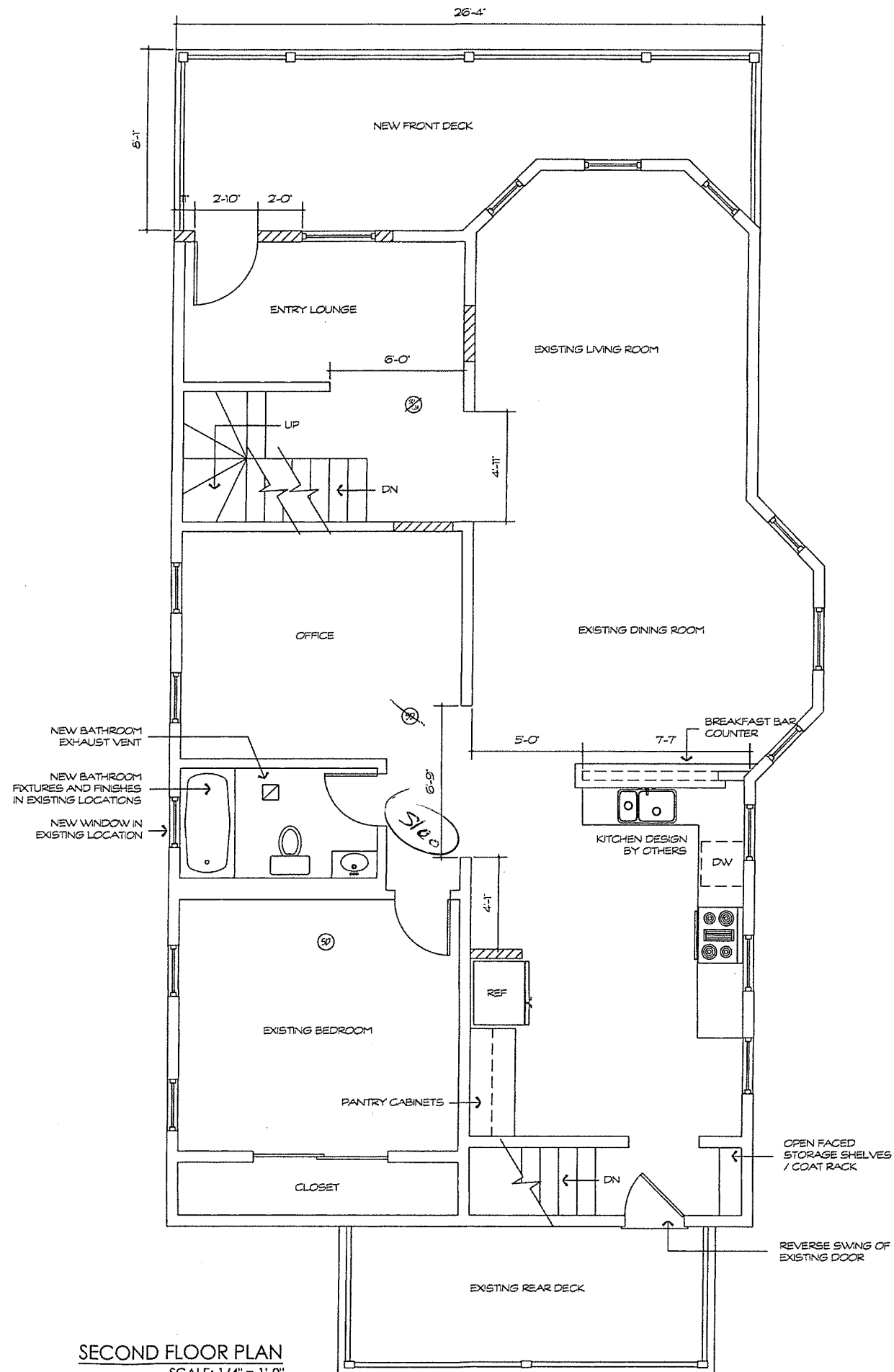
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PROPOSED PLANS

SHEET NUMBER:
A-1



THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

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SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

Proposed Renovation
14-16 Egerton Road
Arlington, MA

DATE: 09/06/20
SCALE: AS NOTED
DRAWN BY: SK
CHECKED BY: NRH

HAZEL H. AMMOURI P.E.
PROFESSIONAL ENGINEERING
47 Mainfield Street
Everett, MA 02149
(857) 312 9212



REVISION:	DATE:

DRAWING TITLE:

FLOOR PLANS

SHEET NUMBER:

A-2

Proposed Renovation
14-16 Egerton Road
Arlington, MA

DATE: 09/06/20
SCALE: AS NOTED
DRAWN BY: SK
CHECKED BY: NRH

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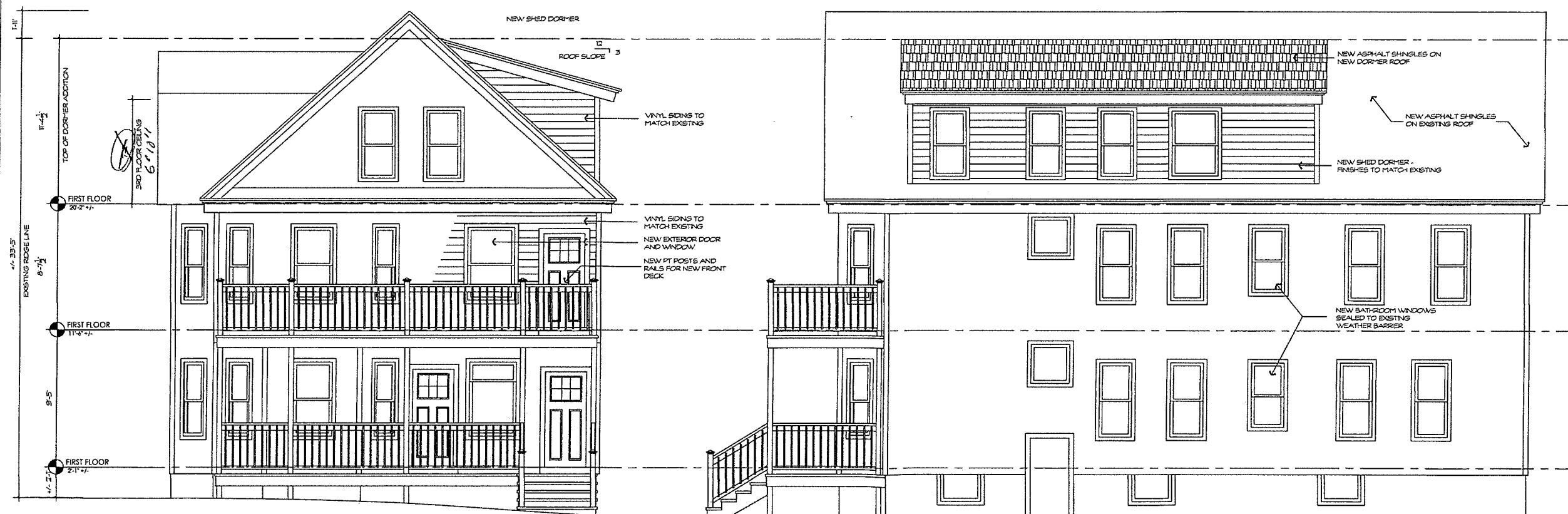
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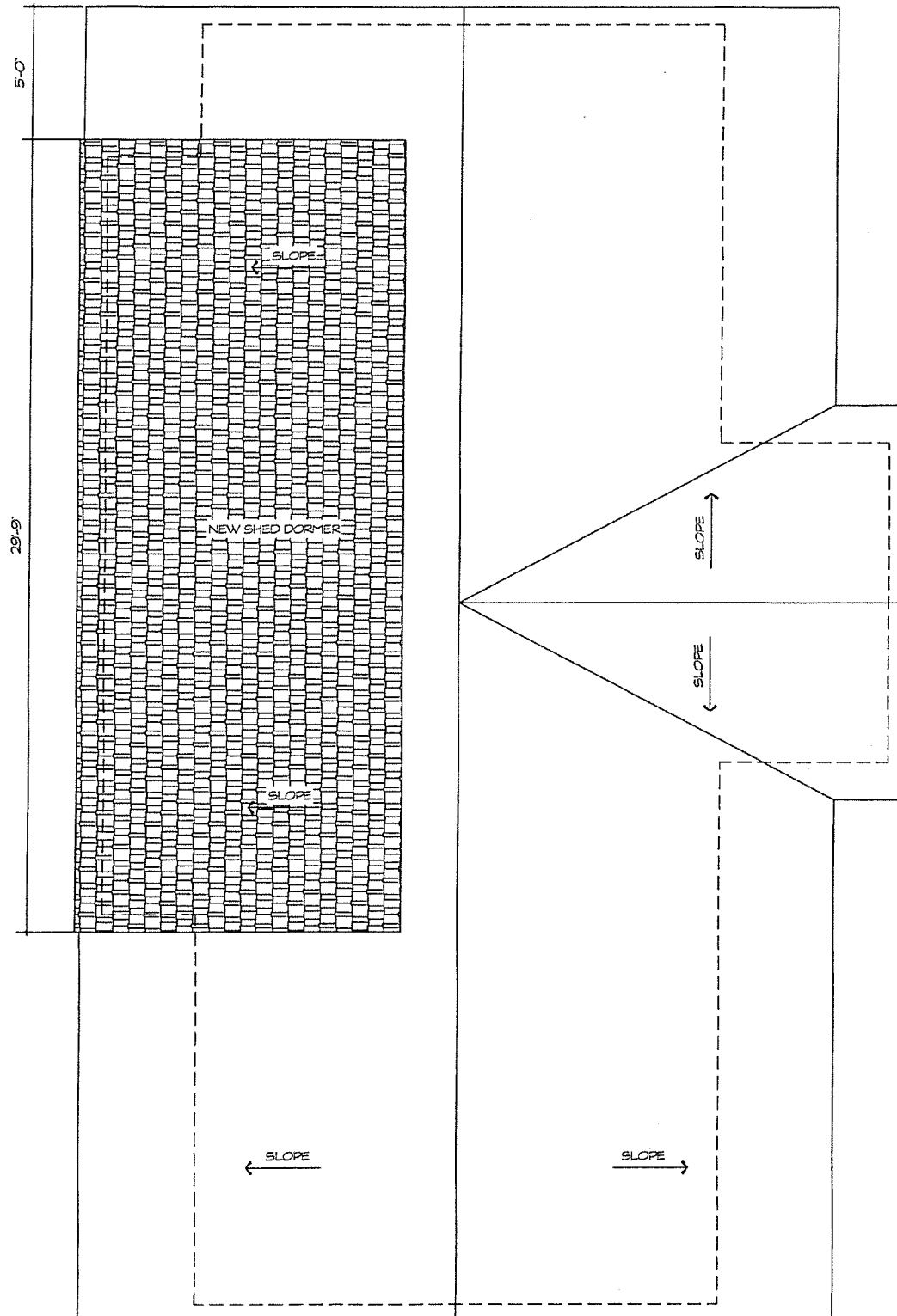
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SHEET NUMBER:

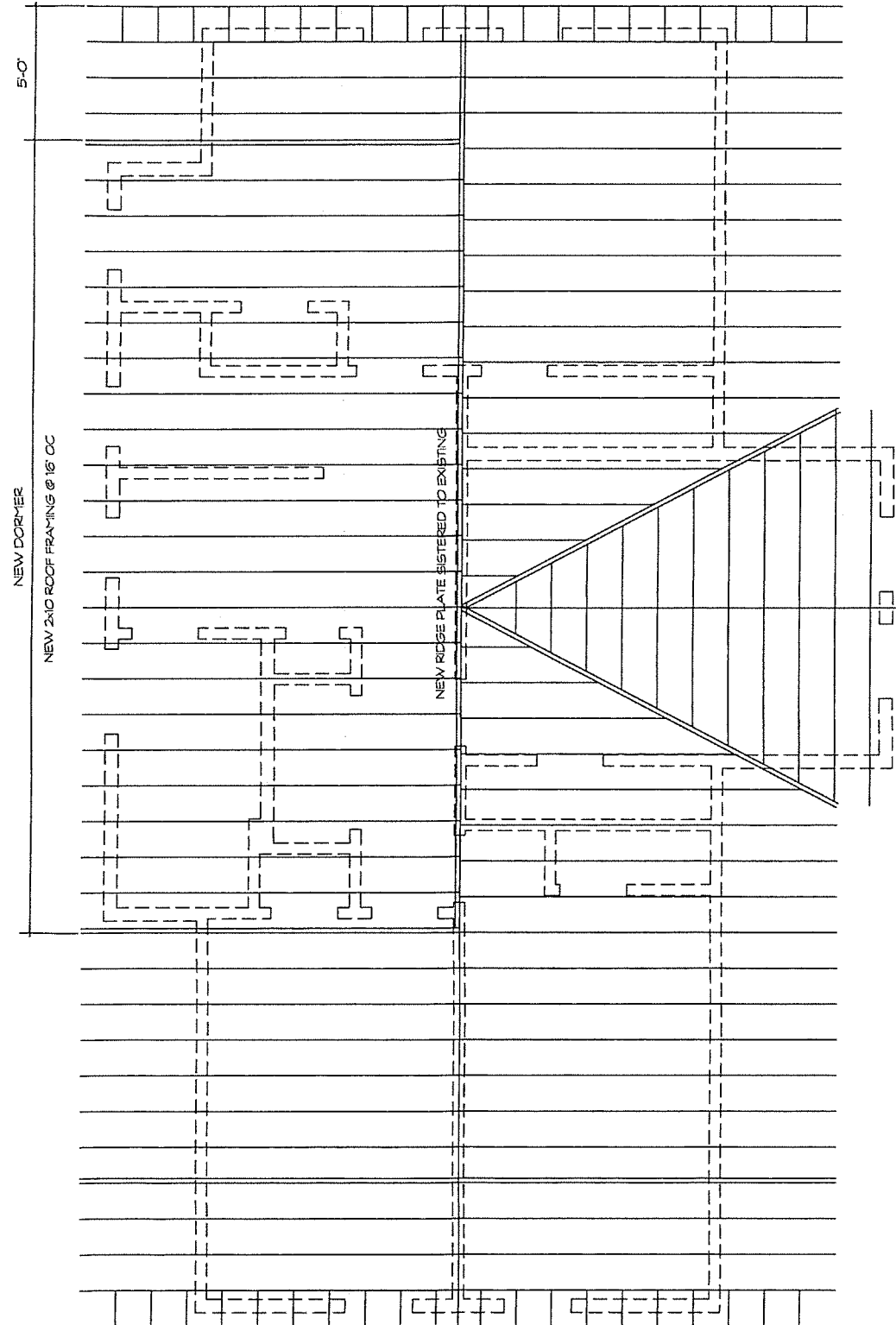
A-3





ROOF PLAN
SCALE: 1/4" = 1'-0"

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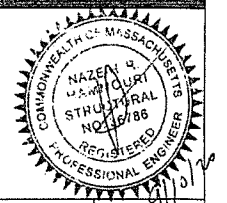


ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"

Proposed Renovation
14-16 Egerton Road
Arlington, MA

DATE: 09/06/20
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N AZEIH **H** AMMOURI P.E.
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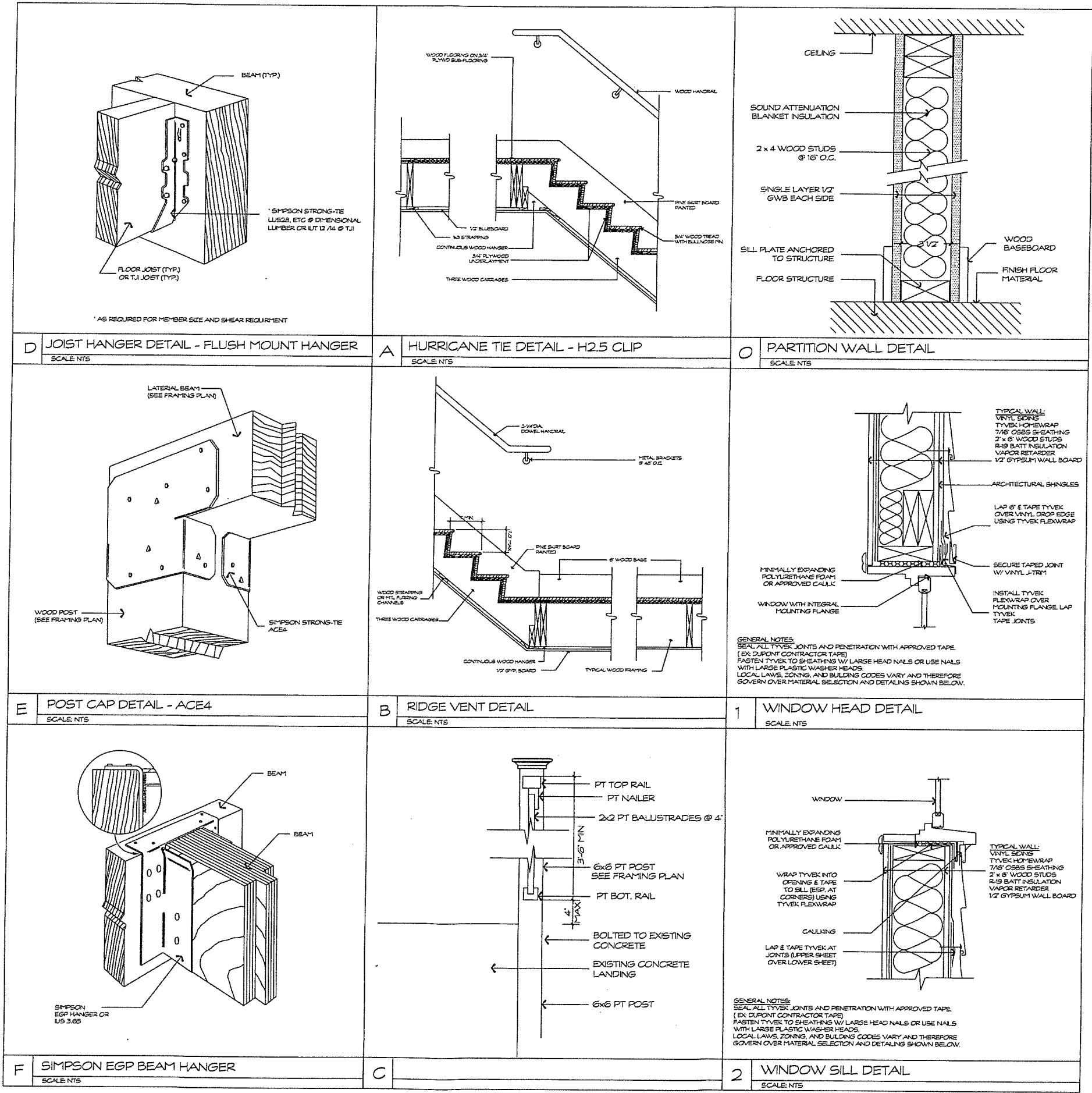
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DEMOLITION PLANS,
NOTES,

SHEET NUMBER:

S-1



Proposed Renovation
14-16 Egerton Road
Arlington, MA

DATE: 09/06/20
SCALE: AS NOTED
DRAWN BY: SK
CHECKED BY: NRH

HAZEH AMMOURI P.E.
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47 Manfield Street
Everett, MA 02149
(857) 312 9212



REVISION:	DATE:

DRAWING TITLE:

CONSTRUCTION
DETAILS

SHEET NUMBER:

S-2

GENERAL

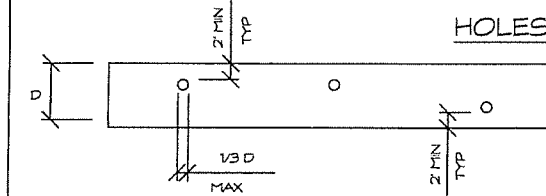
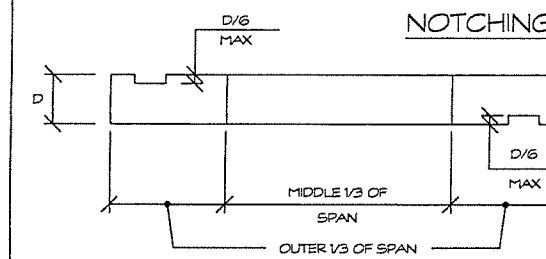
- SHOP DRAWINGS

- ### CAST-IN-PLACE CONCRETE

- ## CONCRETE AND MASONRY REINFORCING

- ### CONVENTIONAL WOOD FRAMING

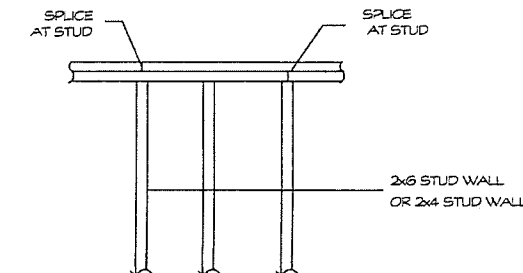
-
- 2-2x6 TOP PLATE
- CRIPPLE STUDS
- HEADER SEE SCHEDULE
- JACK STUDS
- JACK STUDS
- JACK STUDS
- JACK STUDS
- 2x6 STUD BEARING WALL
- OPEN
- 2-2x6 SOLE PLATE TREATED
- DOOR FRAMING



1. IN NO CASE ARE NOTCHES TO BE PLACED IN BOTH THE TOP AND BOTTOM EDGES IF THE NEAR SIDES OF SUCH NOTCHES ARE CLOSER THAN 12" INCHES HORIZONTALLY. NOR ARE THE NEAR SIDES OF NOTCHES AND BORED HOLES TO BE PLACED CLOSER THAN 12" INCHES HORIZONTALLY. NOR ARE BORED HOLES TO BE PLACED NEAR BOTH THE TOP AND BOTTOM EDGES IF THE NEAR SIDES OF SUCH HOLES ARE CLOSER THAN 12" HORIZONTALLY.

2. NOTCHES AND HOLES OTHER THAN SHOWN SHALL BE APPROVED BY THE ENGINEER.

NOTCHING AND HOLES ALLOWED IN WOOD JOIST



TOP PLATE SPLICING DETAIL

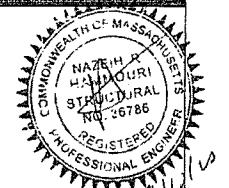
HEADER SCHEDULE AT INTERIOR BEARING WALLS (UNLESS OTHERWISE NOTED ON DRAWINGS)										INTERIOR WALLS
SPAN	SUPPORTING ROOF			SUPPORTING ROOF+ 1 FLOOR			SUPPORTING ROOF+ 2 FLOORS			
	HEADER	JACK	JAMB	HEADER	JACK	JAMB	HEADER	JACK	JAMB	
0'-0" TO 3'-0"	3-2x6	1-2x6	1-2x6	3-2x8	1-2x6	1-2x6	3-2x8	1-2x6	1-2x6	
3'-1" TO 5'-0"	3-2x10	1-2x6	1-2x6	3-2x12	2-2x6	1-2x6	3-2x12	2-2x6	3-2x6	
5'-1" TO 8'-0"	3-2x12	1-2x6	1-2x6	3-1 3/4X 7 1/4" ML	2-2x6	2-2x6	3-1 3/4X 9 1/2" ML	3-2x6	3-2x6	

HEADER SCHEDULE AT EXTERIOR BEARING WALLS (UNLESS OTHERWISE NOTED ON DRAWINGS)										EXTERIOR WALLS
SPAN	SUPPORTING ROOF			SUPPORTING ROOF+ 1 FLOOR			SUPPORTING ROOF+ 2 FLOORS			
	HEADER	JACK	JAMB	HEADER	JACK	JAMB	HEADER	JACK	JAMB	
0'-0" TO 3'-0"	3-2x6	1-2x6	1-2x6	3-2x8	1-2x6	1-2x6	3-2x8	1-2x6	1-2x6	
3'-1" TO 5'-0"	3-2x10	1-2x6	1-2x6	3-2x12	2-2x6	2-2x6	3-2x12	2-2x6	3-2x6	
5'-1" TO 8'-0"	3-2x12	1-2x6	2-2x6	3-1 3/4X 7 1/4" ML	2-2x6	2-2x6	3-1 3/4X 9 1/2" ML	3-2x6	3-2x6	

19 of 109

DATE: 09/06/20
SCALE: AS NOTED
DRAWN BY: SK
CHECKED BY: NRH

NAZEIH **H**AMMOURI P.E.
PROFESSIONAL ENGINEERING
47 Main
Everett
(857) 3



REVISION:	DATE:

DRAWING TITLE:

FRAMING DETAILS

SHEET NUMBER:

S-3



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl
Date: 10/5/2021
RE: Docket 3666 – 14-16 Egerton Rd; Special Permit under Zoning Bylaw Sections 8.1.3(B) (Nonconforming Single-Family or Two-Family Dwellings) and 6.1.10 (A) (Location of Parking Spaces)

The applicant, Sean Lyons, seeks a Special Permit in accordance with Sections 8.1.3(B) (Nonconforming Single-Family or Two-Family Dwellings) and 6.1.10 (A) (Location of Parking Spaces) of the Zoning Bylaw. The applicant seeks construct a half-story addition by expanding their existing attic with a shed dormer on the northeast side of the structure. The addition would increase the total square footage of the structure from 2,740 to 3,485 square feet (+745 square feet). It is unclear if addition meets the definition of a half story, as the applicant has not identified in the plans or elevations what proportion of the third story will have a height greater than seven feet.

The applicant also seeks to add a second driveway along Egerton Road to create a second driveway along the northeast side of the structure, although a site plan indicating the design, complete dimensional details, and total number of parking spaces to be added through the proposed parking area has not been provided.

The property is in the R2 Zoning District, and is nonconforming with the Zoning Bylaw's lot area, frontage, front and left side yard depths, and usable open space requirements. If the dimensions of the proposed half story exceed the dimensional requirements needed to meet the definition of a half story, the addition could create a new nonconformity in the maximum height in stories. No other existing nonconformities would be created or increased by this proposal.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted in the R2 Zoning District through the granting of a Special Permit if less than one half the floor area measured from the underside of the roof framing to the finished floor below has a clear height of 7 feet 0 inches or more. The applicant has not provided dimensional details that would indicate if the proposal meets this definition.

The proposed second driveway is permitted in the R2 Zoning District through the granting of a Special Permit.

Criterion #2: Public Convenience/Welfare

The proposal would provide additional living space. The second proposal would provide a second driveway for the property and create two distinct parking areas. It is unclear whether adding a second driveway along Egerton Road would present a hazard to pedestrian, bicycle, or vehicular safety.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

As mentioned in Criterion #2, it is unclear whether adding a second driveway along Egerton Road would present a hazard to pedestrian, bicycle, and vehicular safety.

Criterion #4: Undue Burden on Municipal Systems

There would not be an undue burden on municipal systems.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

Shed dormer additions are prevalent throughout the area and along Egerton Road. Although not required by zoning, the applicant is encouraged to explore the potential for minor adjustments to the location of the dormer windows to align them with existing windows on the side façade or setting back the dormer further from the front façade so it is balanced with the projection on the northeast side of the structure.¹ These changes would improve the renovated structure's contribution to the existing streetscape.

Regarding the second driveway, it appears that the property at 19-21 Egerton Road has two driveways. The applicant has not provided information supporting the need for an additional parking space beyond what is provided by the existing driveway, which locates parking to the rear and side of the structure. By introducing a second paved area, the proposal creates a condition where in much of the front yard of the property would be paved, which is discouraged for aesthetic reasons and because it adds to the impermeable area on the property.²

Criterion #7: Detrimental Excess in Particular Use

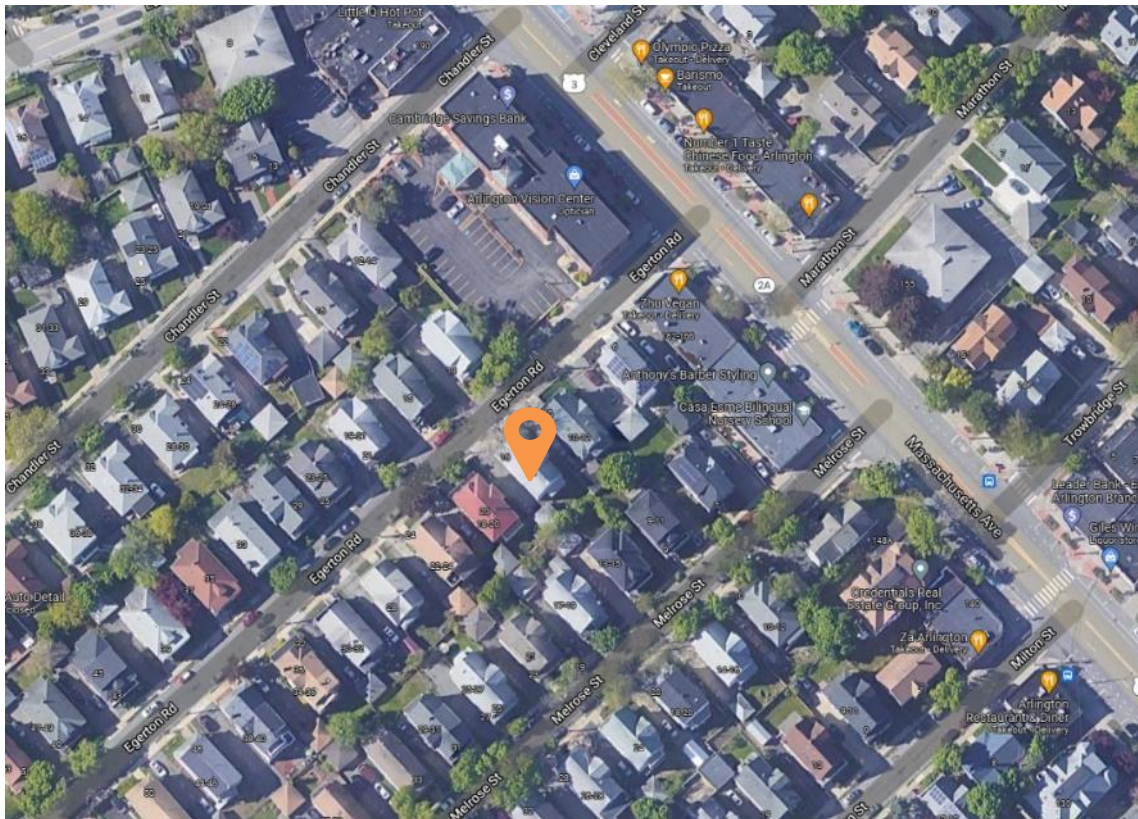
This proposal would not cause any detrimental excesses.

¹ Residential Design Guidelines, Principle C-1, pg. 36.

<https://www.arlingtonma.gov/home/showpublisheddocument?id=54518>

² Residential Design Guidelines, Principle A-2 (pg. 18 and 21).

Below are on-street and aerial photos of the current building:



Recommendation:

The Department of Planning and Community Development (DPCD) recommends that the applicant consider the described aesthetic improvements to the plans. DPCD also recommends that the Zoning Board of Appeals requests details regarding the following:

- Details regarding the dimensions of the third story of the structure to ensure that the addition meets the Zoning Bylaw's definition of a half story.
- A site plan indicating location and dimensions of the proposed second parking area and curb cut, as well as identification of any existing landscaped or usable open space.

DPCD notes that the current structure meets the minimum number of parking spots required by the Zoning Bylaw and recommends that the applicant consider reconfiguring the existing parking area to provide additional spaces, should they be required.



Town of Arlington, Massachusetts

Docket # 3670: 5 Cheviot Road

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__5_Cheviot_Road_(2).pdf	ZBA Package, 5 Cheviot Road (2)
▣ Memorandum	3670_5_Cheviot_Rd.pdf	DPCD Memo re: Docket 3670--5 Cheviot Rd



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Charlotte Nunez** of Arlington, MA. on August 26, 2021, a petition seeking permission to her property located at **5 Cheviot Road - Block Plan 075.0-0005-0002.0** Said petition would require a Special Permit under **Section 5.3.9 (A) (Projections into Minimum Yards)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening October 26, 2021 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**
<https://town-arlington-ma-us.zoom.us/join/tZ0udu6hrz4iEtcR6s2r9eZiaorRAsgbMh>
for documentation relating to this petition, visit the ZBA website at
www.arlington.gov/zba.

DOCKET NO 3670

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT
TOWN OF ARLINGTON

In the matter of the Application of Porch Extension - 5 Cheviot Road, Arlington, MA 02474
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw ofthe Town of
Arlington, Massachusetts, seeking relief from the following specific provisions of the ZoningBylaw, and as described
fully in the attached form, *Special Permit Criteria*:

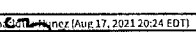
District Regulations, Section 5.3 – Dimensional Regulations Applicable in All or Multiple Districts

5.3.9. - Projections into Minimum Yards

B. Unenclosed steps, decks, and the like, which do not project more than 10 feet in the front yard, or
more than five feet in the side yard beyond the line of the foundation wall may extend beyond the
minimum yard regulations otherwise provided for the district in which the structure is built. Unenclosed
steps, decks, and the like which do not project more than 10 feet into the required rear yard and are not
closer to the lot line than half the size of the required yard, may extend beyond the minimum yard
regulations otherwise provided for the district in which the structure is built

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at
5 Cheviot Road, Arlington, MA 02474 with respect to such relief is sought; that no unfavorable actionhas been
taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years
next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all
conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning
Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are
as follows:

The Proposed porch renovation comprises of rebuilding the front portico and deck, so as to not
encroach into the Front yard setback any further than the existing deck. The new porch extension is to
match the existing design elements in scale and materials.

E-Mail: cnnunez@yahoo.com Signed:  Date: 8/17/21
Telephone: 617-750-6214 Address: 5 Cheviot Rd Arlington, MA 02474

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

District Regulations, Section 5.3 – Dimensional Regulations Applicable in All or Multiple Districts
5.3.9. - Projections into Minimum Yards

B). Explain why *the requested use is essential or desirable to the public convenience or welfare.*

The proposed front porch extension strengthens the social relationship with the streetscape as a welcoming gesture.

C). Explain why *the requested use will not create undue traffic congestion,-or unduly impair pedestrian safety.*

The proposed porch extension reinforces the pedestrian experience of the neighborhood as well as opening up the front of the house as being more inviting.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

The proposed porch extension would not alter the existing drainage patterns within the property or the street.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

There are no additional special regulations for the use. The provisions of Section 8 have been addressed.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The porch extension would enhance the character of the district and neighborhood experience.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The proposed porch extension would not be detrimental to the character of the neighborhood, on the contrary, it would strengthen the neighborhood experience and reinforce a more pedestrian environment.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 5 Cheviot Road, Arlington, MA 02474 **Zoning District:** R1

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	6,172 SQ. FT.	6,172 SQ. FT.
Open Space, Usable	3,548 SQ. FT.	3,192 SQ. FT.
Open Space, Landscaped	3,433 SQ. FT.	2,988 SQ. FT.

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	400 SQ. FT.	400 SQ. FT.
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	948 SQ. FT.	948 SQ. FT.
1 st Floor	948 SQ. FT.	948 SQ. FT.
2 nd Floor	768 SQ. FT.	768 SQ. FT.
3 rd Floor	-	-
4 th Floor	-	-
5 th Floor	-	-
Attic (greater than 7’-0” in height, excluding elevator machinery, or mechanical equipment)	-	-
Parking garages (except as used for accessory parking or off-street loading purposes)	-	-
All weather habitable porches and balconies	216 SQ.FT.	
Total Gross Floor Area (GFA)	3,280 SQ. FT.	3,280 SQ. FT.

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	3,433 SQ. FT.	2,988 SQ. FT.
Landscaped Open Space (% of GFA)	55%	48%
Usable Open Space (Sq. Ft.)	3,548 SQ. FT.	3,192 SQ. FT.
Usable Open Space (% of GFA)	57%	52%

This worksheet applies to plans dated June 15, 2021 designed by PionArch LLC

Reviewed with Building Inspector: _____ Date: _____

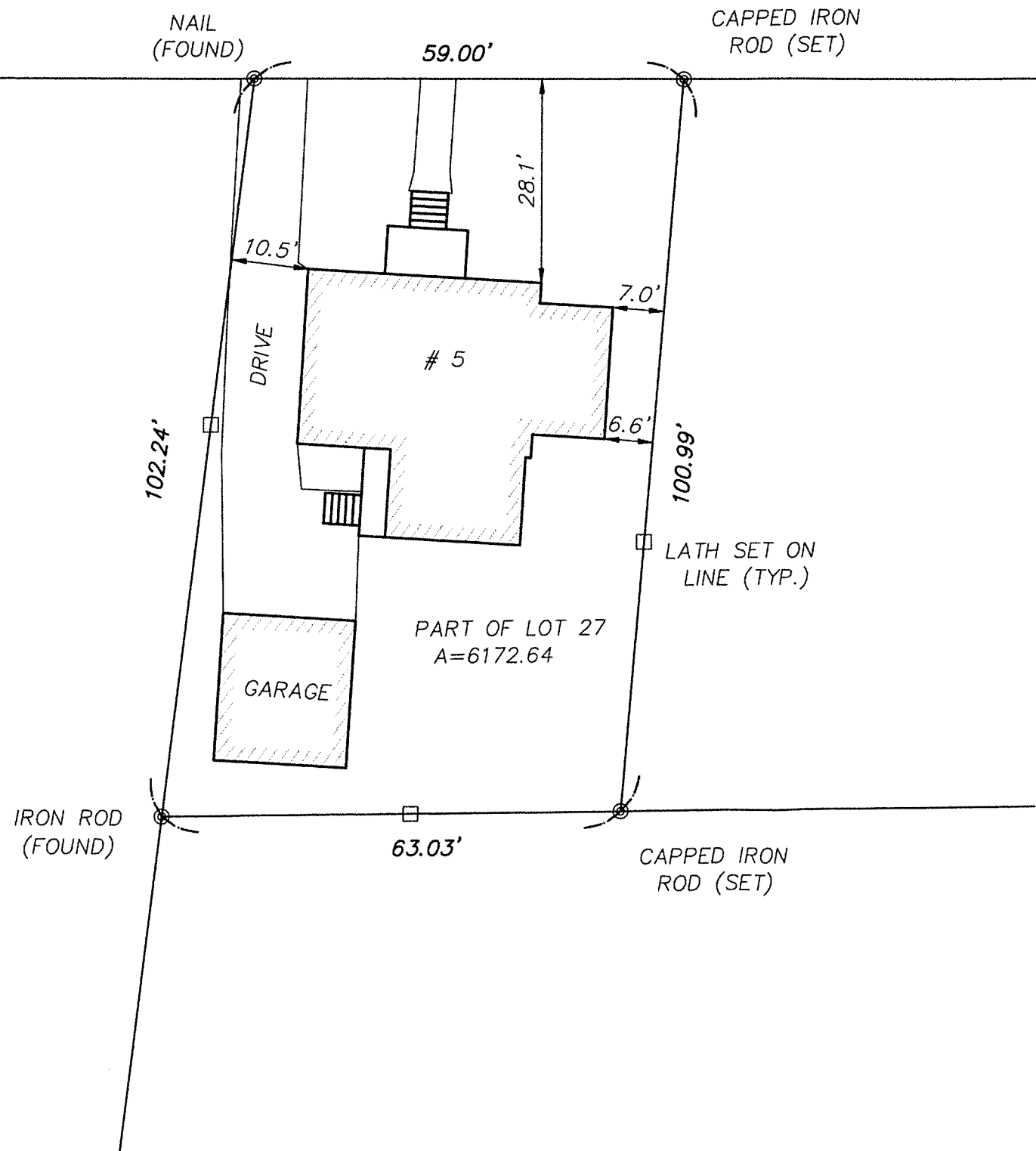
TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 5 Cheviot Road, Arlington, MA 02474 Zoning District: R1
2. Present Use/Occupancy: Single Family No. of dwelling units 1
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3,200 Sq. Ft.
4. Proposed Use/Occupancy: Single Family No. of dwelling units 1
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3,200 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	6,172 SQ. FT.	6,172 SQ. FT.	min. 6,000 SQ. FT.
7. Frontage (Ft.)	97'-0"	97'-0"	min. 60'-0"
8. Floor area ratio	.53	.53	max. .35
9. Lot Coverage (%)	25%	25%	Max 35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	-	-	min. -
11. Front Yard Depth (Ft.)	21'-0" +/-	21'-0" +/-	min. 25'-0"
12. Left Side Yard Depth (Ft.)	8'-0"	8'-0"	min. 10'-0"
13. Right Side Yard Depth (Ft.)	9'-6"	9'-6"	min. 10'-0"
14. Rear Yard Depth (Ft.)	37'-0"	33'-0"	min. 20'-0"
15. Height (Stories)	-	-	max. 2.5
16. Height (Ft.)	-	-	max. 35'-0"
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	3,433 SQ. FT.	2,988 SQ. FT.	10%
17A. Landscaped Open Space (% of GFA)	55%	48%	min. 10%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	3,548 SQ. FT.	3,192 SQ. FT.	30%
18A. Usable Open Space (% of GFA)	57%	52%	min. 30%
19. Number of Parking Spaces	-	-	min. -
20. Parking area setbacks (if applicable)	-	-	min. -
21. Number of Loading Spaces (if applicable)	-	-	min. -
22. Type of construction	N/A	N/A	N/A
23. Slope of proposed roof(s) (in. per ft.)	N/A	N/A	min. N/A



CHEVIOT ROAD



OWNER OF RECORD

CHARLOTTE NUNEZ

BOOK 65821 PAGE 314 M.S.R.D.

PLAN REFERENCES

PLAN BOOK 259 PLAN 27

I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN
ACTUAL INSTRUMENT SURVEY.

EDWARD J. FARRELL P.L.S.

DATE

PLOT PLAN 5 CHEVIOT ROAD ARLINGTON, MASS.

SCALE: 1" = 20' AUGUST 25, 2020

Prepared By

EDWARD J. FARRELL

PROFESSIONAL LAND SURVEYOR

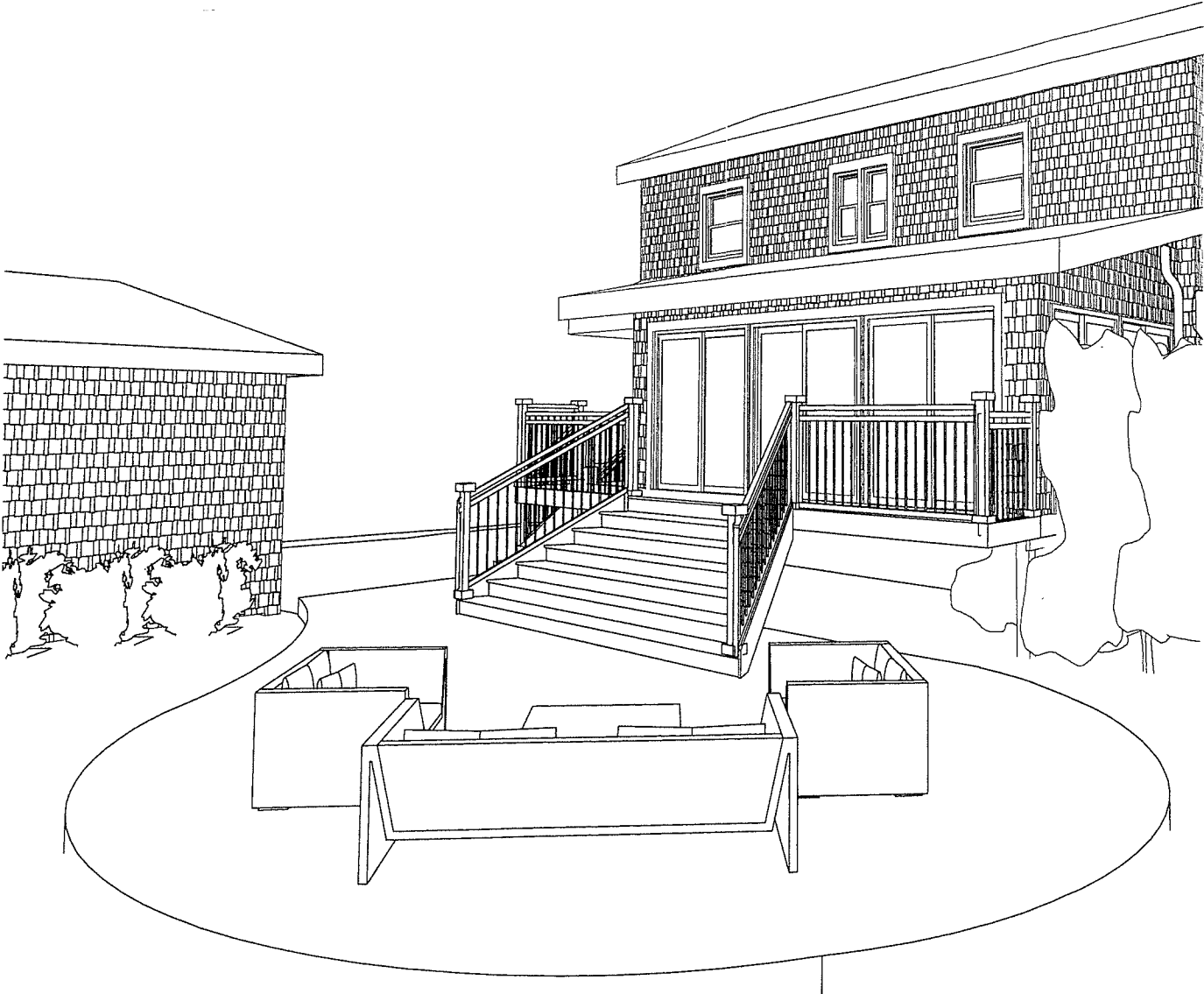
110 WINN STREET ~ SUITE 203 ~ WOBURN, MA.

(781)-933-9012

NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

A0.1	COVER SHEET
A0.2	ZONING TABLE
D0.1	DEMOLITION
A1.0	EXISTING SITE PLAN
A1.2	NEW FIRST FLOOR PLAN
A1.3	FOUNDATION PLAN
A1.5	SITE PLAN LANDSCAPE
A2.0	PORCH ELEVATION
A2.1	DECK ELEVATION
A2.3	SIDE ELEVATION
Grand total: 10	



PERMIT SET

Jun. 15th, 2021



Architectural Firm
PIONARCH, LLC
Lidia Szydlowska, AAIA

501 Cabot St., Ste. 8C
Beverly MA, 01915

P: (978) - 887 - 2900
e-mail: lidia@pionarch.com

www.pionarch.com

CONTRACTOR
PIONARCH,LLC
Michal Szydlowski
CSL# 099318

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Beverly MA, 01915

P: (978) - 887 - 2900
e-mail: michal@pionarch.com

www.pionarch.com

SHEET SIZE 11"x17"

NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

PERMIT SET
A0.2
ZONING TABLE

Note: Scale May Change When Copied or Faxed

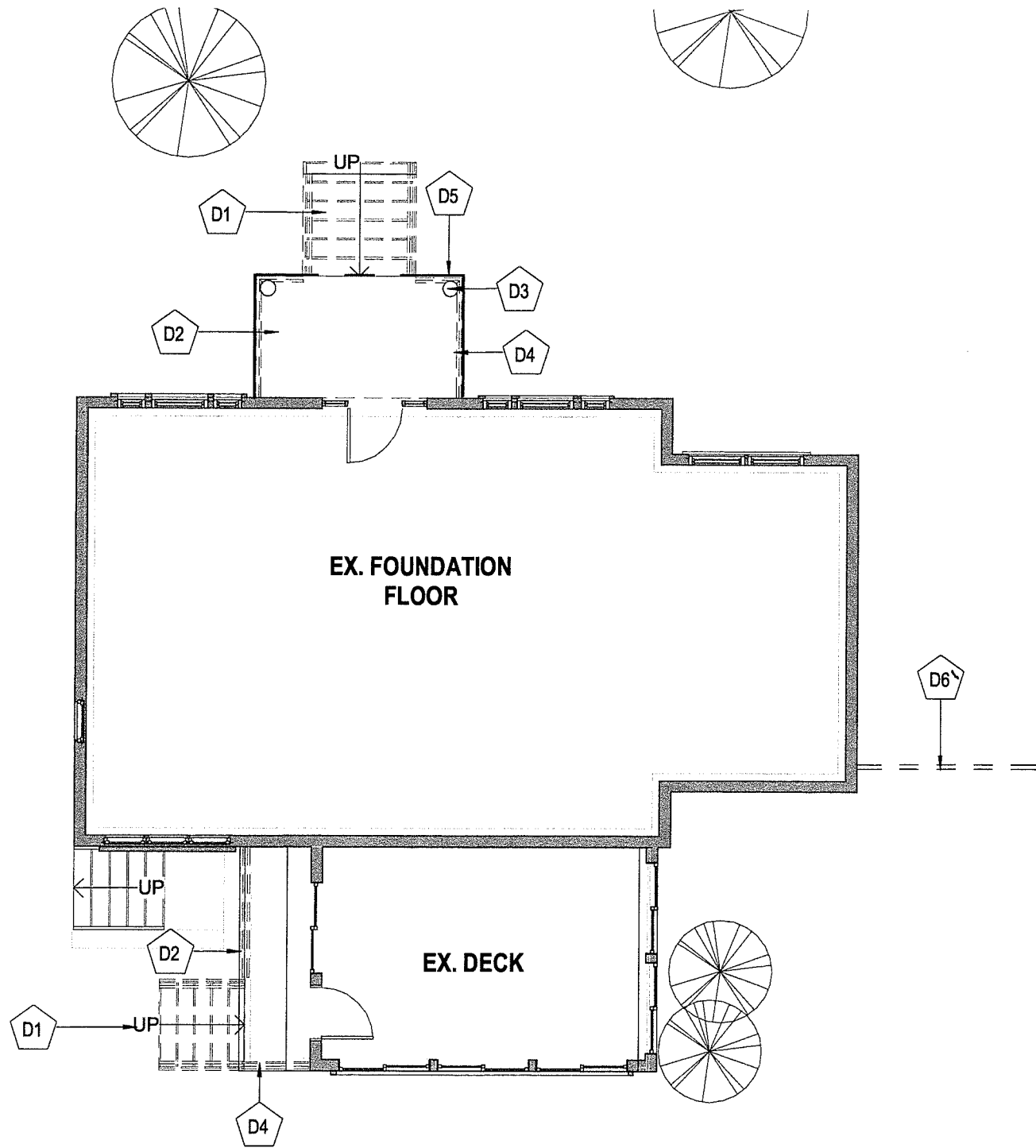
21.014.01
Jun. 15th, 2021



ZONING TABLE

ITEM:	REQUIRED BY CODE:	EXISTING CONDITION:	NEW CONDITION:
ZONE:	R1	R1	R1
MIN. LOT AREA:	6,000 SQ. FT.	6,172 SQ. FT.	6,172 SQ. FT.
MIN. LOT FRONTAGE:	60'	97' - 0" +/-	97' - 0" +/-
FLOOR AREA RATIO:	.35 max.	.53	.53
LOT COVERAGE (%):	35% max.	25%	25%
MIN. SETBACKS:	FRONT - 25' SIDE - 10' REAR - 20'	FRONT 21' - 0" +/- SIDE 8' - 0" +/- L. 9' - 6" +/- R. REAR 37' - 0" +/-	FRONT 21' - 0" +/- SIDE 8' - 0" +/- L. 9' - 6" +/- R. REAR 33' - 0" +/-
MAX. HEIGHT:	35'	----	----
MAX. HEIGHT (STORIES):	2.5	----	----
LADSCAPED OPEN SPACE:	10% min.	3,433+/- SQ FT (55% OF LOT AREA)	2,988 +/- SQ FT (48% OF LOT AREA)
USABLE OPEN SPACE:	30%	3,548+/- SQ FT (57% OF LOT AREA)	3,192 +/- SQ FT (52% OF LOT AREA)
MAXIMUM LOT COVERAGE :	35%	22% OF LOT COVERAGE)	25% OF LOT COVERAGE)

SHEET SIZE 11"x17"



1 DEMOLITION PLAN
D0.1 1/8" = 1'-0"

NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

PERMIT SET

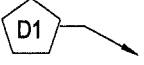

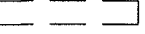
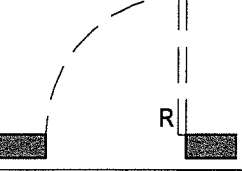
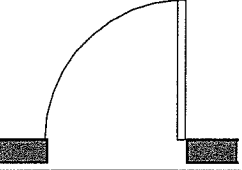
D0.1

Note: Scale May Change When Copied or Faxed

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DEMOLITION

DEMOLITION LEGEND

	DEMOLITION KEYNOTE
ROOM NAME 101	ROOM NUMBER
	CONSTRUCTION TO REMAIN
	CONSTRUCTION TO BE DEMOLISHED
	DOOR/ FRAME TO BE REMOVED. "R" INDICATES DOOR/FRAME TO BE SAVED FOR RE-USE.
	EXISTING DOOR TO REMAIN

KEYNOTES - DEMOLITION

D1	EXISTING STAIRS TO BE DEMOLISHED
D2	EXISTING DECKING TO DEMOLISHED
D3	EXISTING COLUMN TO BE DEMOLISHED
D4	EXISTING RAILING TO BE REMOVED
D5	EXISTING ROOF TO BE DEMOLISHED
D6	EXSITING FENCE TO BE DEMOLISHED

PionArch 

21.014.01

Jun. 15th, 2021

SHEET SIZE 11"x17"

1 EX.SITE PLAN
A1.0 1/8" = 1'-0"

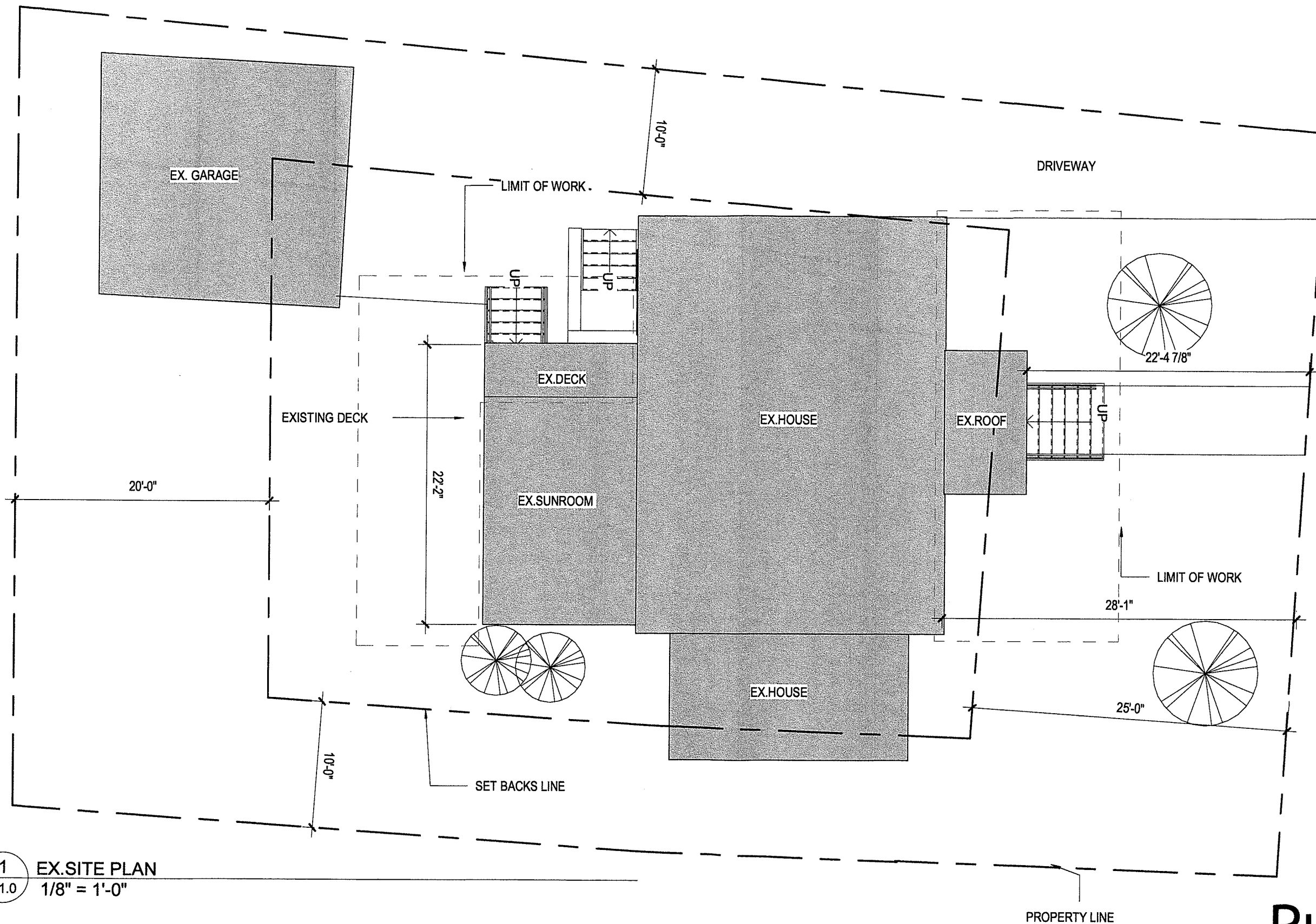
NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

Note: Scale May Change When Copied or Faxed

PERMIT SET
A1.0

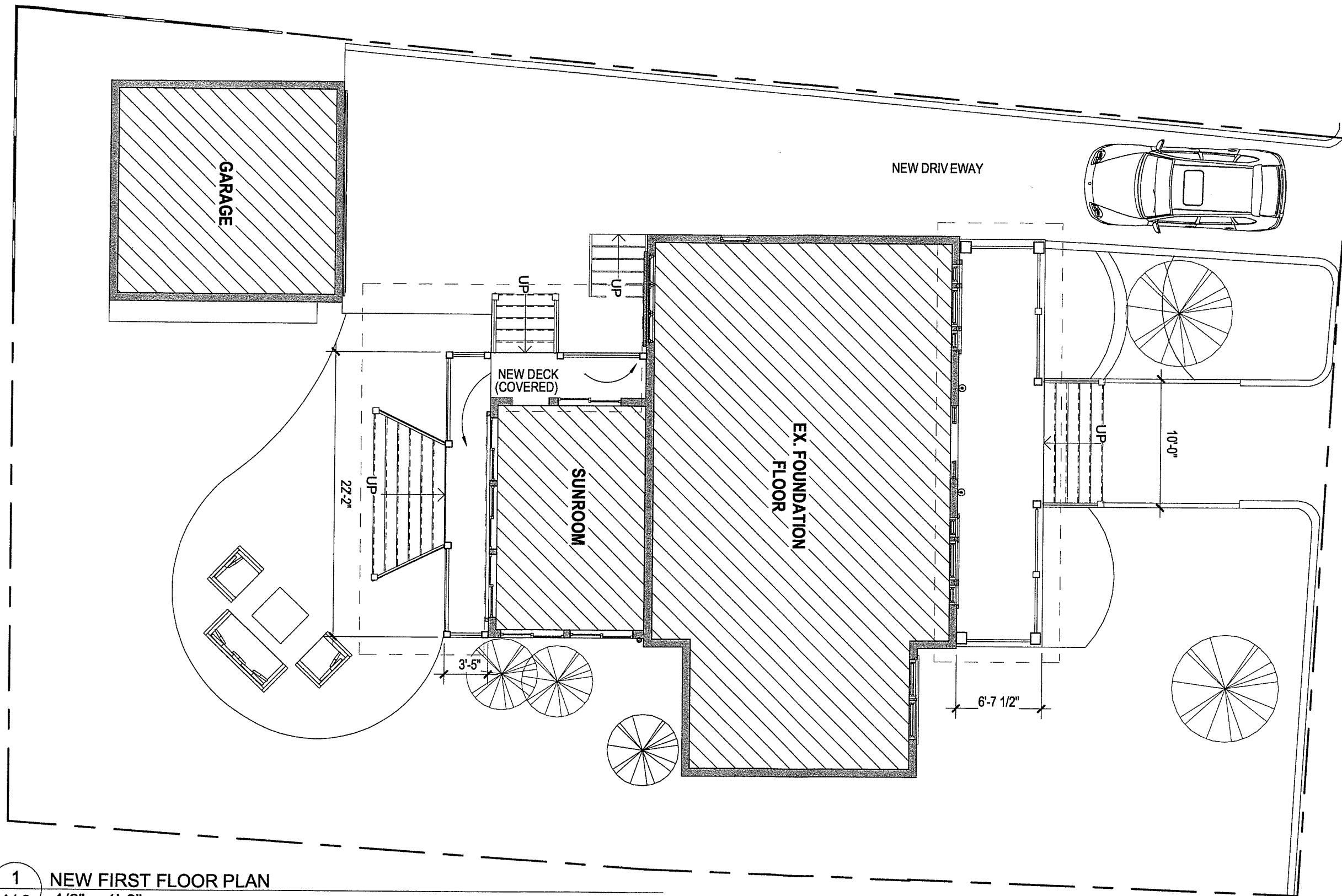
EXISTING SITE PLAN



PionArch

21.014.01

Jun. 15th, 2021



1 NEW FIRST FLOOR PLAN
A1.2 1/8" = 1'-0"

NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

PERMIT SET

A1.2

NEW FIRST FLOOR PLAN

Note: Scale May Change When Copied or Faxed

PionArch

21.014.01

Jun. 15th, 2021

SHEET SIZE 11"X17"

SHEET SIZE 11"X17"

1 NEW FIRST FLOOR FOUNDATION
A1.3 1/8" = 1'-0"

NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

PERMIT SET

A1.3

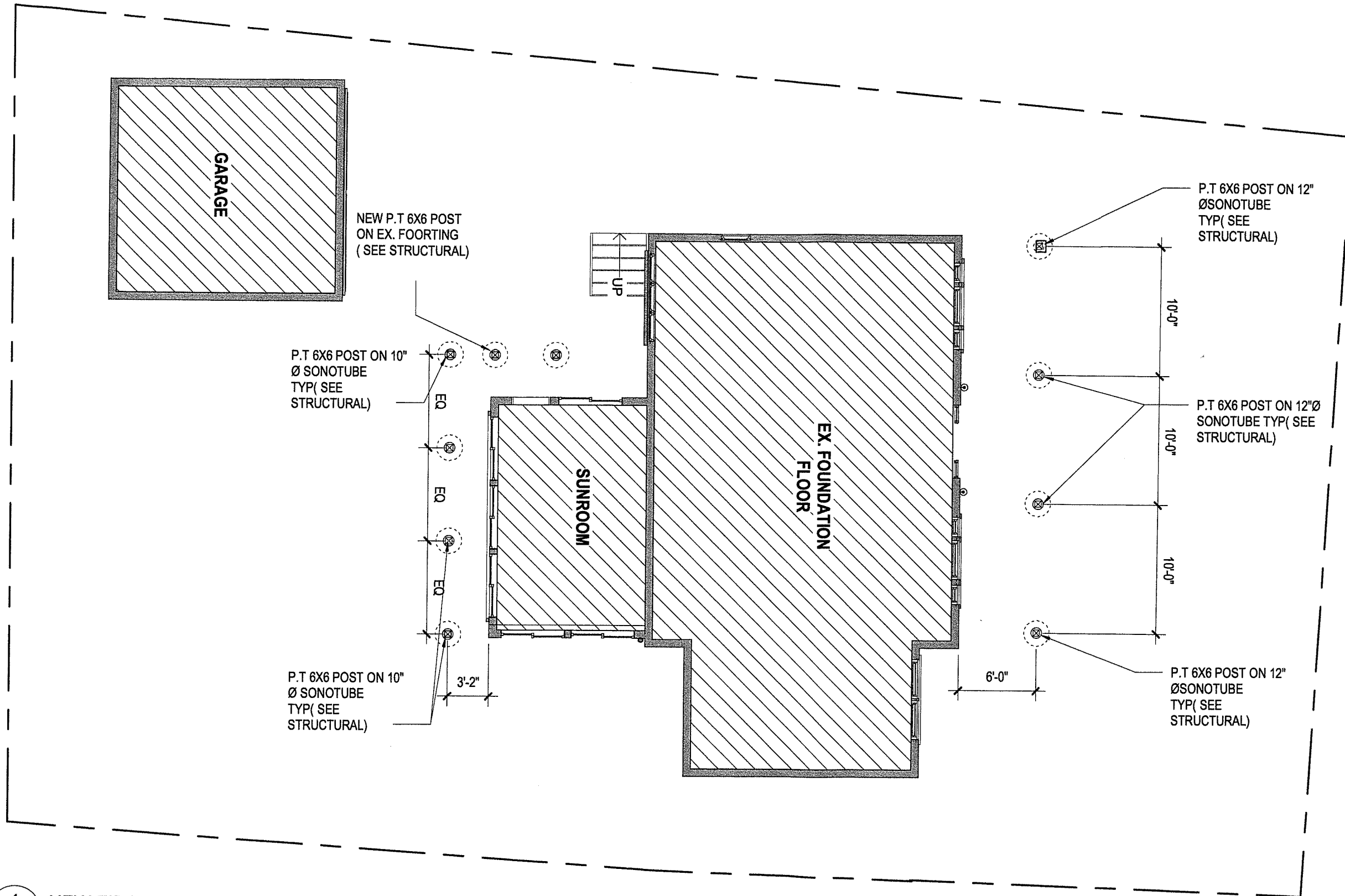
37 of 109
FOUNDATION PLAN

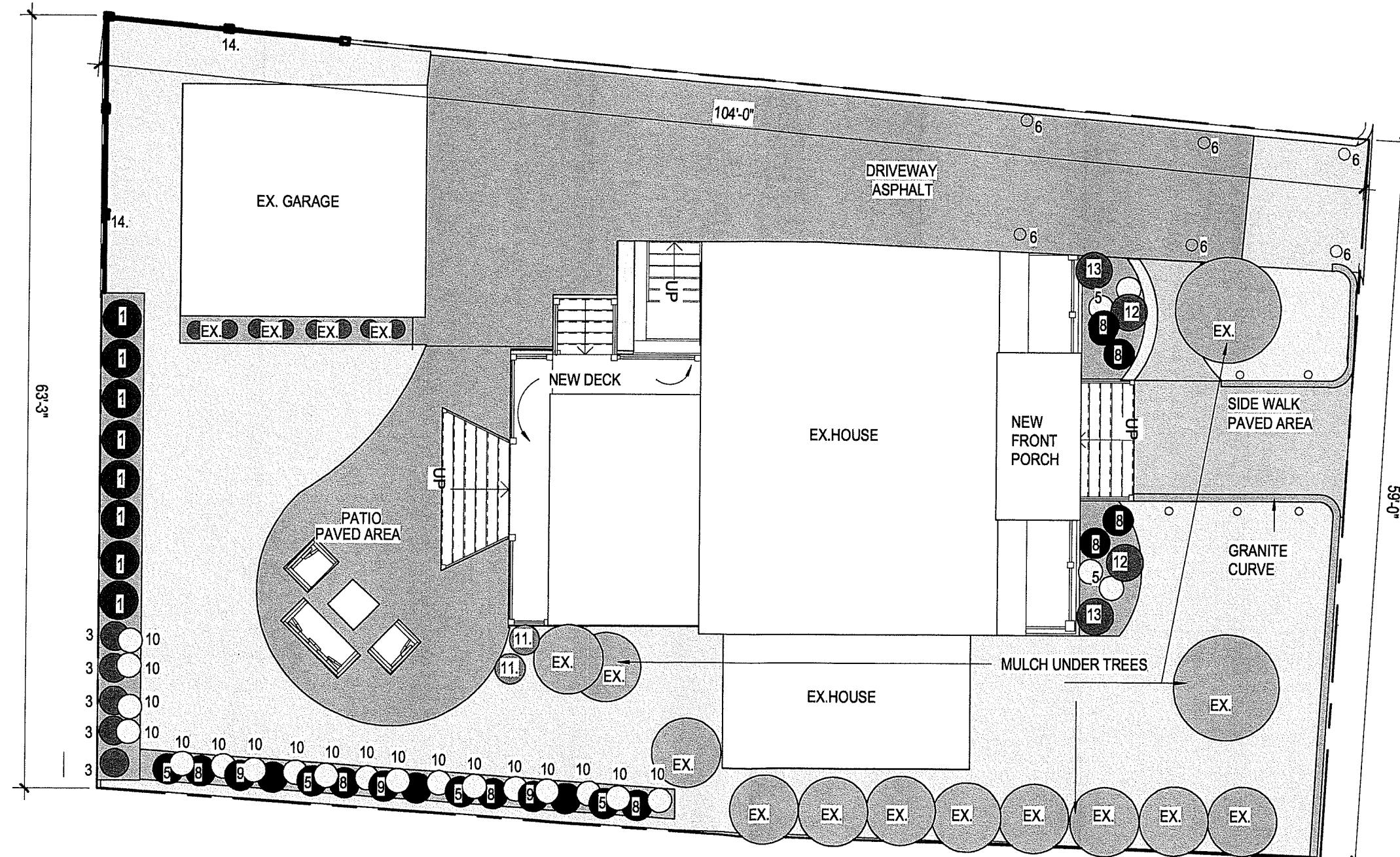
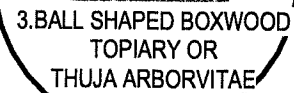
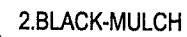
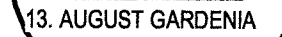
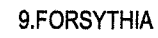
Note: Scale May Change When Copied or Faxed

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21.014.01

Jun. 15th, 2021





ITEM #	DISRIPTION	QTY
1	EVERGREEN PLANTS	8
2	MULCH	444 sq ft
3	BALL SHAPED BOXWOOD TOPIARY OR THUJA	5
4	GRASS	2,215sq ft
5	IRIS	8
6	LIGHTING	11
7	COBBLE STONE	298.43sq ft
8	HYDRANGEA	4
9	FORSYTHIA	3
10	GOLDEN EUONYMUS	4
11	AUTUMN AZALEA	2
12	SEDUM ANGELINA	2
13	AUGUST GARDENIA	2
	TOTAL PLANTS	49

5 Cheviot Rd, Arlington, Ma 02474

A1.5

SITE PLAN LANDSCAPE

Note: Scale May Change When Copied or Faxed

21.014.01

Jun. 15th, 2021

PionArch LLC

SHEET SIZE 11"X17"

SHEET SIZE 11"x17"



1
A2.0
Elevation 1 - a
1/4" = 1'-0"

NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

PERMIT SET

A2.0

38 01 19
PORCH ELEVATION

PionArch

21.014.01

Jun. 15th, 2021

Note: Scale May Change When Copied or Faxed

SHEET SIZE 11"x17"



1 NEW PATIO ELEVATION
A2.1 1/4" = 1'-0"

NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

PERMIT SET

A2.1

1 of 109
DECK ELEVATION

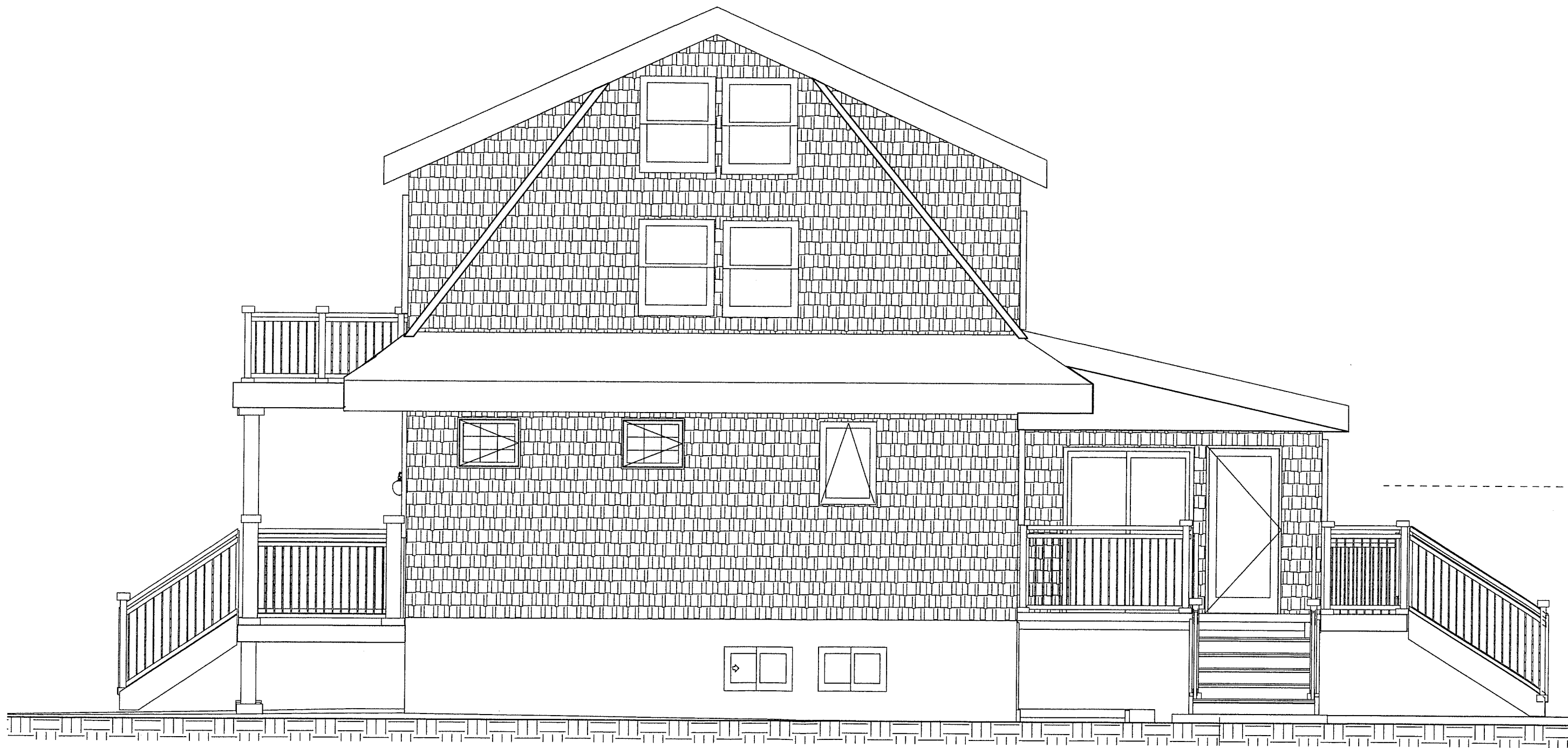
PionArch

21.014.01

Jun. 15th, 2021

Note: Scale May Change When Copied or Faxed

SHEET SIZE 11"x17"



1 SIDE ELEVATION
A2.3 1/4" = 1'-0"

NUNEZ PORCH RENOVATION AND LANDSCAPE

5 Cheviot Rd, Arlington, Ma 02474

PERMIT SET

A2.3

21 of 100
SIDE ELEVATION

PionArch 

21.014.01

Jun. 15th, 2021

Note: Scale May Change When Copied or Faxed



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl
Date: 10/20/2021
RE: Docket 3670 – 5 Cheviot Rd; Special Permit under Zoning Bylaw Section 5.3.9
Projections into Minimum Yards (A)

The applicant, Charlotte Nunez, seeks a Special Permit in accordance with Section 5.3.9 (Projections into Minimum Yards (A)). The applicant seeks to replace their current front porch with a wider portico and deck extending the width an existing structure. The proposed portico and deck are approximately 200 square feet, which exceeds the maximum 25 square foot projection into a minimum yard allowable by right in the zoning bylaw. The applicant has not provided dimensions of the existing front porch. The purpose of the project is to improve the aesthetics of the existing structure by introducing design elements from the principal structure into the design of the front façade and entry.

The structure is in the R1 zoning district, and is nonconforming with the Zoning Bylaw's front, left, and right yard setback. The proposed portico and deck would project forward 6 feet 7.5 inches into the front yard setback, which would maintain the depth of the existing front yard setback. None of the existing nonconformities would be increased by the proposal.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted in the R-1 Zoning District through the granting of a special permit.

Criterion #2: Public Convenience/Welfare

This proposal would improve the convenience and safety of the owner's entrance to their home.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

There would not be an undue burden on municipal systems.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

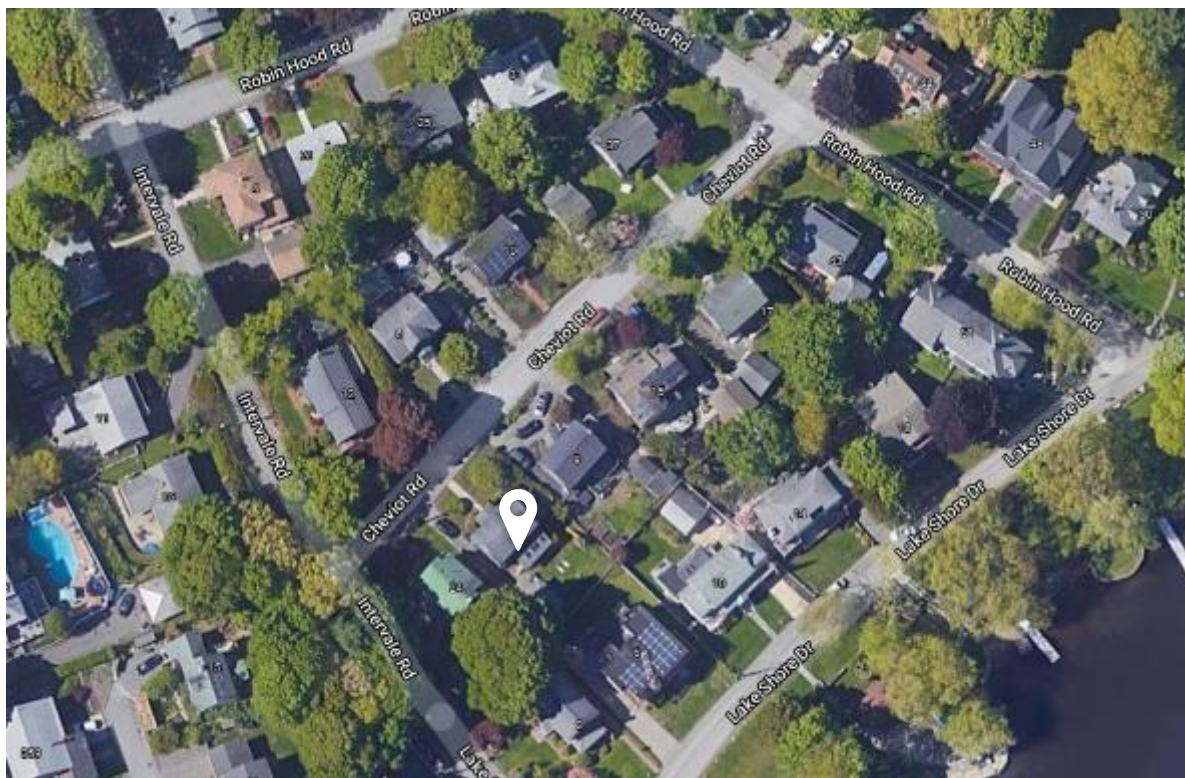
While the proposed portico and deck exceeds the maximum square footage allowable by right, the overall proposal is not substantially more detrimental to the neighborhood than the existing structure. Nearly all the structures along Cheviot Road are Dutch Colonials with covered porticos, although none have a front deck that spans the full width of the structure. Nearby examples of full-width front decks can be found on Robbin Hood Road.

The proposed open decks and foyer complement the architecture of the principal structure. The features will introduce human-scaled architectural variation to the overall streetscape and add visual interest to the front façade of the structure¹. Overall, this proposal would not detrimentally impact the neighborhood character of the district or adjoining districts, nor will it be detrimental to the health, morals, or welfare of the neighbors of the property.

Criterion #7: Detrimental Excess in Particular Use

This proposal would not cause any detrimental excesses.

Below are aerial and street-based photos of the current building:



¹ Principle B-1 (pg. 26) and C-1 (pg. 34), Residential Design Guidelines (pg. 34), available at <https://www.arlingtonma.gov/home/showpublisheddocument/54518/637472609831970000>



Recommendation:

The Department of Planning and Community Development maintains that this proposal is consistent with the Zoning Bylaw and recommends that the Zoning Board of Appeals approve this application.

Related Dockets:

- #3654: 14 Nicod St—Applicant sought a special permit to add a front porch extending the width of a newly constructed house in the R1 Zoning District, citing convenience, safety, and improved design aesthetics.
- #3641: 69 Epping St—Applicant sought a special permit to add a mudroom and portico within the minimum front yard setback in an R1 district, citing safety and weather concerns. Approved on 1/12/21.
- #3608: 68 Margaret St—Applicant sought a special permit to increase the size of the existing entryway to 43 square feet, citing the need for weather protection and other structures on their street with entryways larger than 25 square feet. Approved on 10/29/19.



Town of Arlington, Massachusetts

Docket # 3674: 9-11 Adams Street

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__9-11_Adams_Street.pdf	ZBA Package, 9-11 Adams Street
▣ Memorandum	3674_9-11_Adams_St.pdf	DPCD Memo re: 3674--9-11 Adams St
▣ Reference Material	9-11_adams_-_front_back_elevations.jpg	9-11 adams - front back elevations
▣ Reference Material	9-11_adams_-_left_right_elevations.jpg	9-11 adams - left right elevations
▣ Reference Material	Garage_Materials_List_-_9_Adams_St_-_30Sep2021.doc	Garage Materials List - 9 Adams St - 30Sep2021
▣ Reference Material	Rober_Survey_-_Garage_doc.pdf	Rober Survey - Garage doc



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Heidi Wettach and Greg Walters** of Arlington, Massachusetts on March 23, 2021, a petition seeking permission to alter their property located at **9-11 Adams Street- Block Plan 031.0-0005-0003.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening October 26, 2021 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9 **for documentation relating to this petition, visit the ZBA website at www.arlington.gov/zba.**

DOCKET NO 3674

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of Heidi Wettach & Greg Walters
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

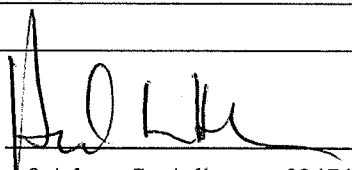
Request to demolish existing garage and reconstruct new garage with an additional 125 sqft on an
existing undersized lot.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at
9-11 Adams St. with respect to such relief is sought; that no unfavorable action
has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within
the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full
compliance with any and all conditions and qualifications imposed upon this permission, whether by
the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant
represents that the grounds for the relief sought are as follows:

Existing structure has failed roof/envelope and is an undersized garage which cannot hold 2 cars.

Proposed new garage will keep similar design, roof and aesthetic, while adding 125 sqft to
accommodate 2 cars as well as keep yard/snow equipment out of view. Additional sqft will not be
noticeable from the street.

E-Mail: hlwettach@yahoo.com

Signed: 

Date: 09/24/2021

Telephone: 781-883-6566

Address: 9 Adams St. Arlington, 02474

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board's determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Section 5.4.2 - Dimensional and Density requirements

B). Explain why *the requested use is essential or desirable to the public convenience or welfare.*

Allows for storage of 2 cars and all yard/snow equipment and recreational equipment which will
promote a cleaner and more presentable street view/appearance.

C). Explain why *the requested use will not create undue traffic congestion; or unduly impair pedestrian safety.*

No change to public right of way.

It will remove vehicles from driveway parking.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

No connections to the systems and replacing existing structure.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

No special regulations pertain to this lot.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

Will be reconstructed with similar design/aesthetic. Will remove cars/yard equipment from driveway.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

Will be similar to neighborhood architecture and keep the yard uncluttered.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For Applications to the Zoning Board of Appeals

1. Property Location: 9-11 Adams Street Zoning District: R2

2. Present Use/Occupancy: 2-Family No. of dwelling units 2

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3545 Sq. Ft.

4. Proposed Use/Occupancy: 2-Family No. of dwelling units 2

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3670 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	4500	4500	min. 6000
7. Frontage (Ft.)	50	50	min. 60
8. Floor area ratio	78%	81%	max.
9. Lot Coverage (%)	33%	33%	max 35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	N/A	N/A	min.
11. Front Yard Depth (Ft.)	7.8	7.8	min.
12. Left Side Yard Depth (Ft.)	16.5	16.5	min.
13. Right Side Yard Depth (Ft.)	5.7	5.7	min.
14. Rear Yard Depth (Ft.)	22.9	22.9	min.
15. Height (Stories)	2.5	2.5	max. 2.5
16. Height (Ft.)			max.
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	1875	1750	
17A. Landscaped Open Space (% of GFA)	53%	48%	min. 10%
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	0	0	
18A. Usable Open Space (% of GFA)	0	0	min.
19. Number of Parking Spaces	4	4	min.
20. Parking area setbacks (if applicable)	N/A	N/A	min.
21. Number of Loading Spaces (if applicable)	N/A	N/A	min.
22. Type of construction (garage)	Type I	Type I	N/A
23. Slope of proposed roof(s) (in. per ft.)	1 inch/ft	1 inch/ft	min.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 9-11 Adams Street

Zoning District: R2

OPEN SPACE*

	EXISTING	PROPOSED
Total lot area	<u>4500</u>	<u>4500</u>
Open Space, Usable	<u>0</u>	<u>0</u>
Open Space, Landscaped	<u>1875</u>	<u>1750</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	<u>430</u>	<u>555</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>0</u>	<u>0</u>
1 st Floor	<u>1222</u>	<u>1222</u>
2 nd Floor	<u>1222</u>	<u>1222</u>
3 rd Floor	<u></u>	<u></u>
4 th Floor	<u></u>	<u></u>
5 th Floor	<u></u>	<u></u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u>299</u>	<u>299</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u></u>	<u></u>
All weather habitable porches and balconies	<u>372</u>	<u>372</u>
Total Gross Floor Area (GFA)	<u>3545</u>	<u>3670</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

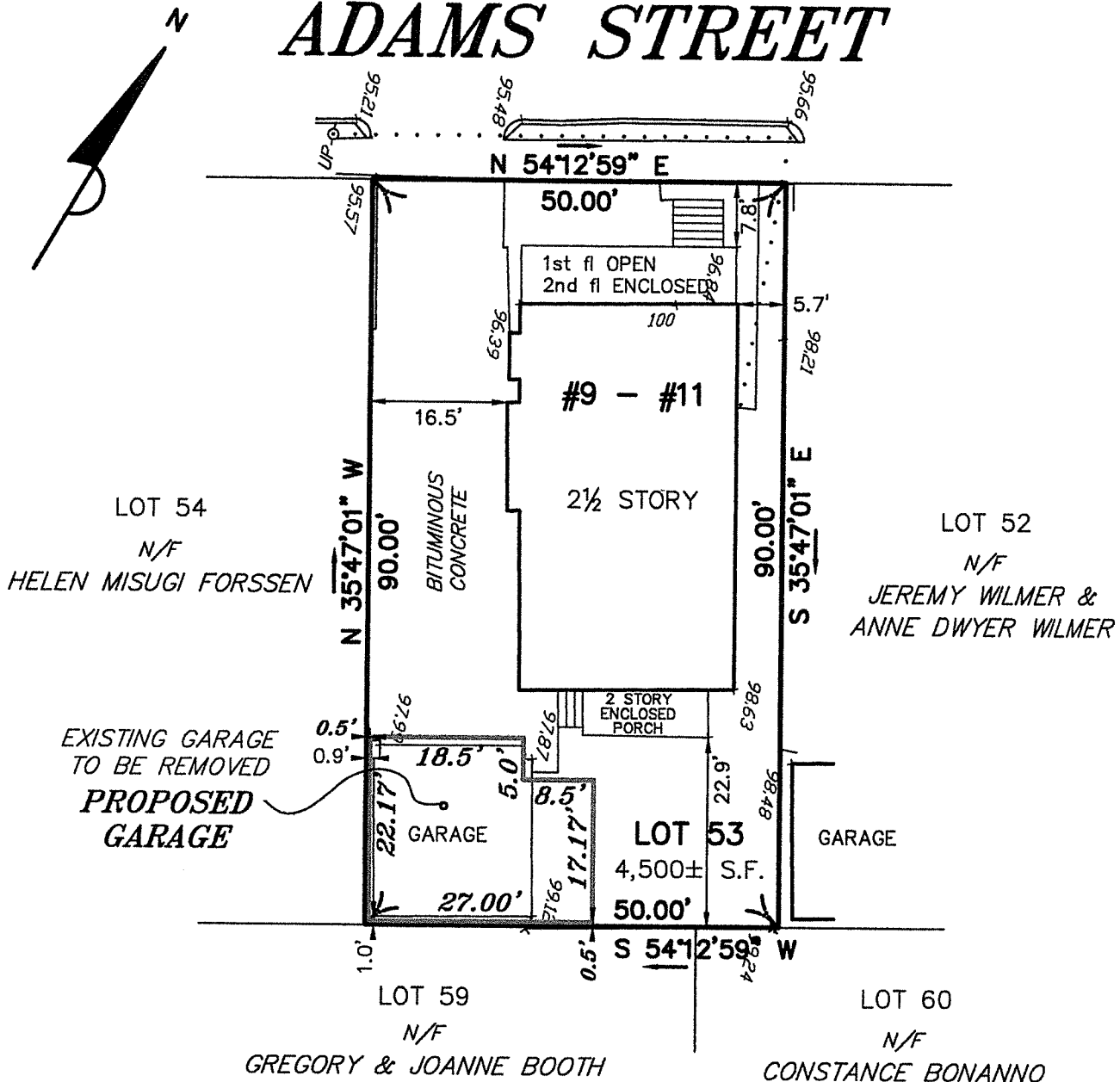
REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)	<u>1875</u>	<u>1750</u>
Landscaped Open Space (% of GFA)	<u>53%</u>	<u>48%</u>
Usable Open Space (Sq. Ft.)	<u>0</u>	<u>0</u>
Usable Open Space (% of GFA)	<u>0</u>	<u>0</u>

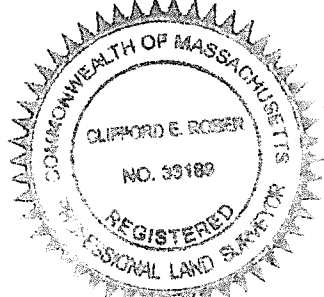
This worksheet applies to plans dated 07/22/2021 designed by Rober Survey

Reviewed with Building Inspector: _____ Date: _____

ADAMS STREET



I HEREBY CERTIFY THAT THE BUILDING IS
LOCATED AS SHOWN.



CLIFFORD E. ROBER, PLS

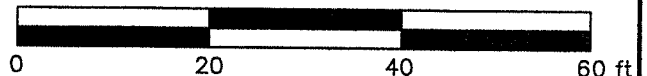
DATE

THIS PLAN MAY HAVE BEEN ALTERED IF
THE SIGNATURE IS NOT SIGNED IN BLUE.

OWNER: GREGORY WALTERS & HEIDI WETTACH

PROPOSED PLOT PLAN
#9 ADAMS STREET
IN
ARLINGTON, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 7/22/2021



ROBER SURVEY
1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533
6516PP1.DWG 52 of 109



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl
Date: 10/5/2021
RE: Docket 3674 – 9-11 Adams St; Special Permit under Zoning Bylaw Section 8.1.3(B)
(Nonconforming Single-Family or Two-Family Dwellings)

The applicants, Heidi Wettach and Greg Walters, seek a Special Permit in accordance with Section 8.1.3(B) (Nonconforming Single-Family or Two-Family Dwellings) of the Zoning Bylaw. The applicants seek to replace their existing garage with a new, larger garage with Type 1 construction. The proposed accessory structure would increase the total square footage of the accessory structure from 430 to 555 square feet (+125 square feet).

The property is in the R2 Zoning District, and is nonconforming with the Zoning Bylaw's lot area, frontage, front and right side yard depths, lot coverage, and usable open space requirements. Section 5.4.2.B(7) of the Zoning Bylaw notes that a Type 1 private detached garage does not need to conform to side or rear yard setbacks so long as the garage is entirely located within the rear or side yard. The proposed garage would be located entirely within the rear yard, and therefore a rear or side yard setback is not required. The proposed garage would increase the lot coverage from 40% to 44% (+4%).

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted in the R2 Zoning District through the granting of a Special Permit.

Criterion #2: Public Convenience/Welfare

The proposal would provide additional enclosed parking and storage space.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

There would not be an undue burden on municipal systems.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

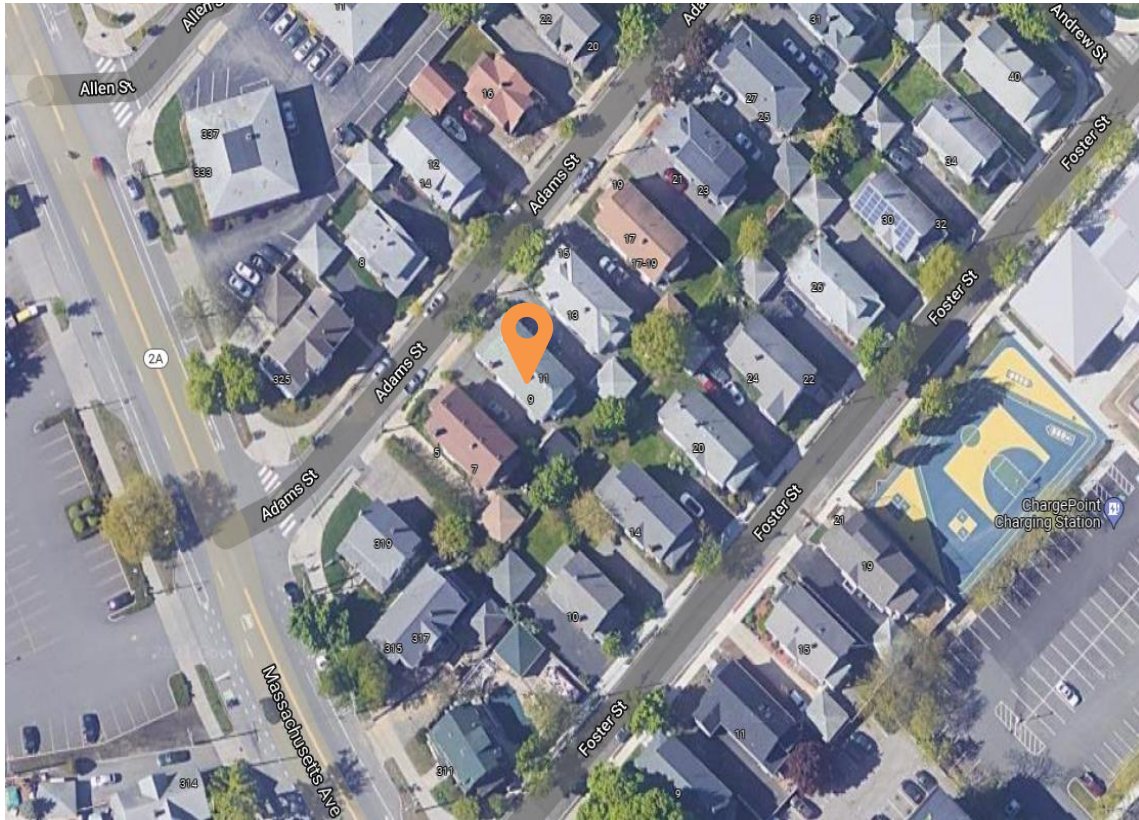
Properties along this portion of Adams Street have either no garage, a one-stall detached garage, or a two-stall detached garage (a portion of which is typically obscured from the street view due to their location in the rear yard setback of a structure). No garage typology predominates. This proposal would not detrimentally impact the neighborhood character, nor will it be detrimental to the health, morals, or welfare of the neighbors of the property.

Criterion #7: Detrimental Excess in Particular Use

This proposal would not cause any detrimental excesses.

Below are on-street and aerial photos of the current building:

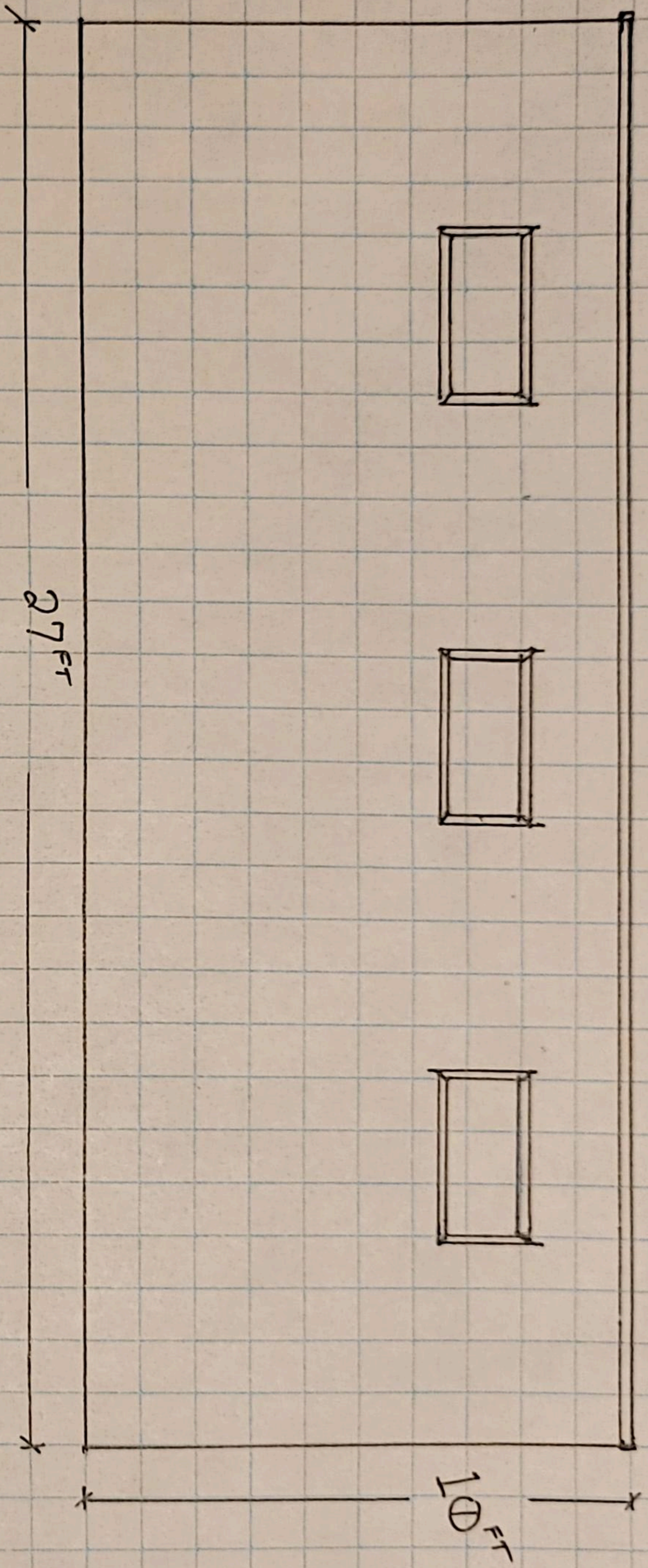




Recommendation:

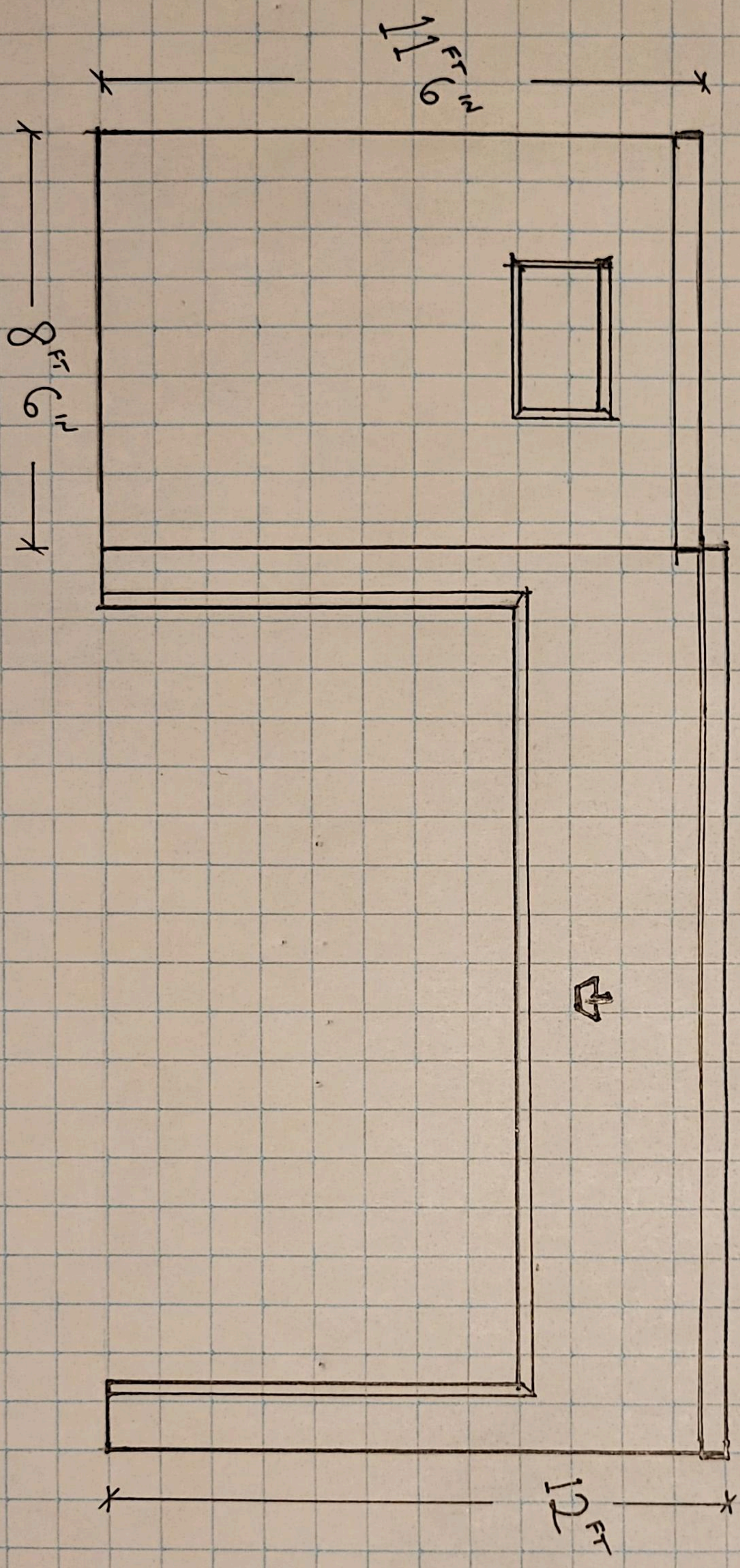
The Department of Planning and Community Development (DPCD) maintains that this proposal is consistent with the Zoning Bylaw and recommends that the Zoning Board of Appeals approve this application.

REAR
ELEVATION



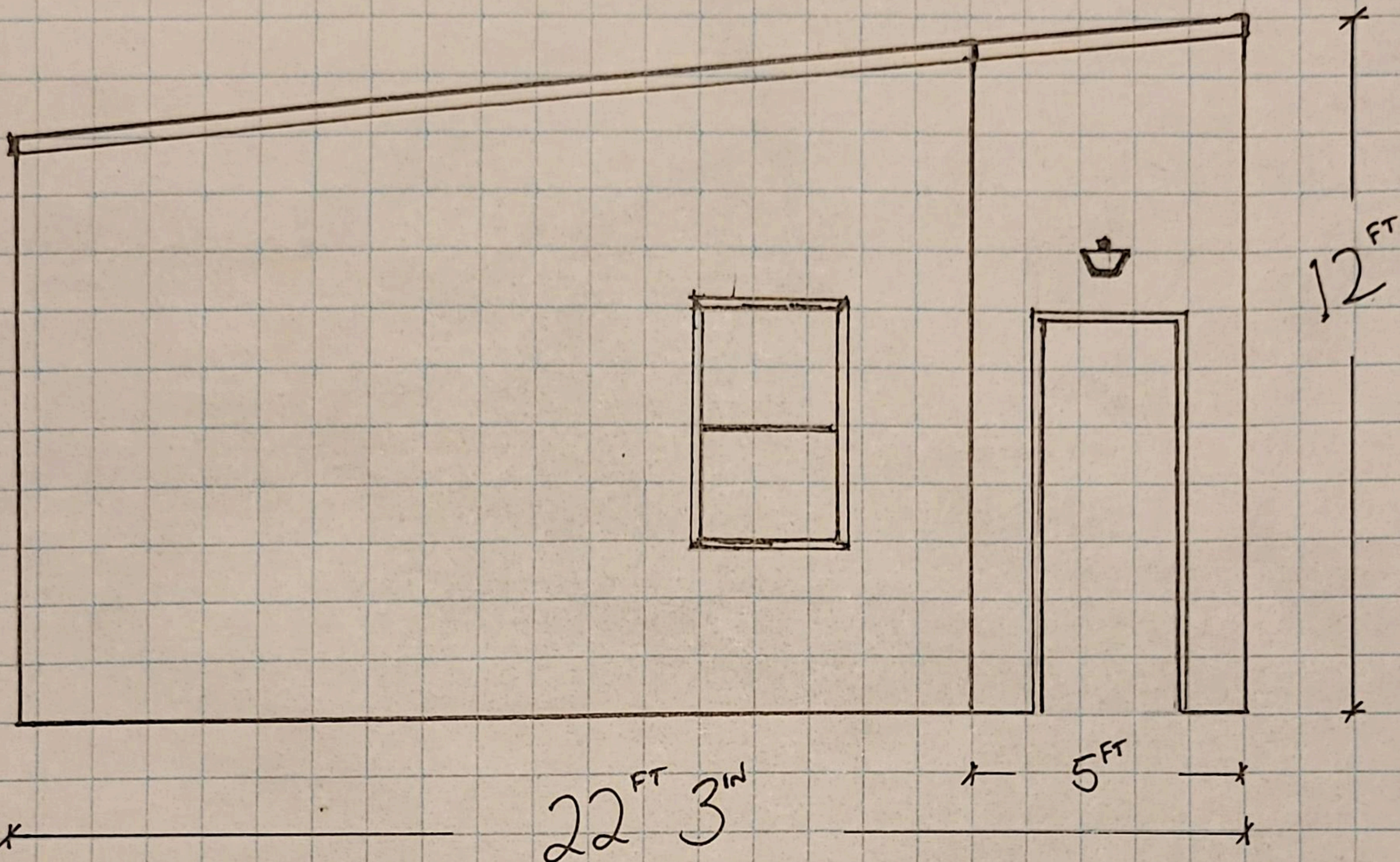
9 ADAMS ST

FRONT
ELEVATION

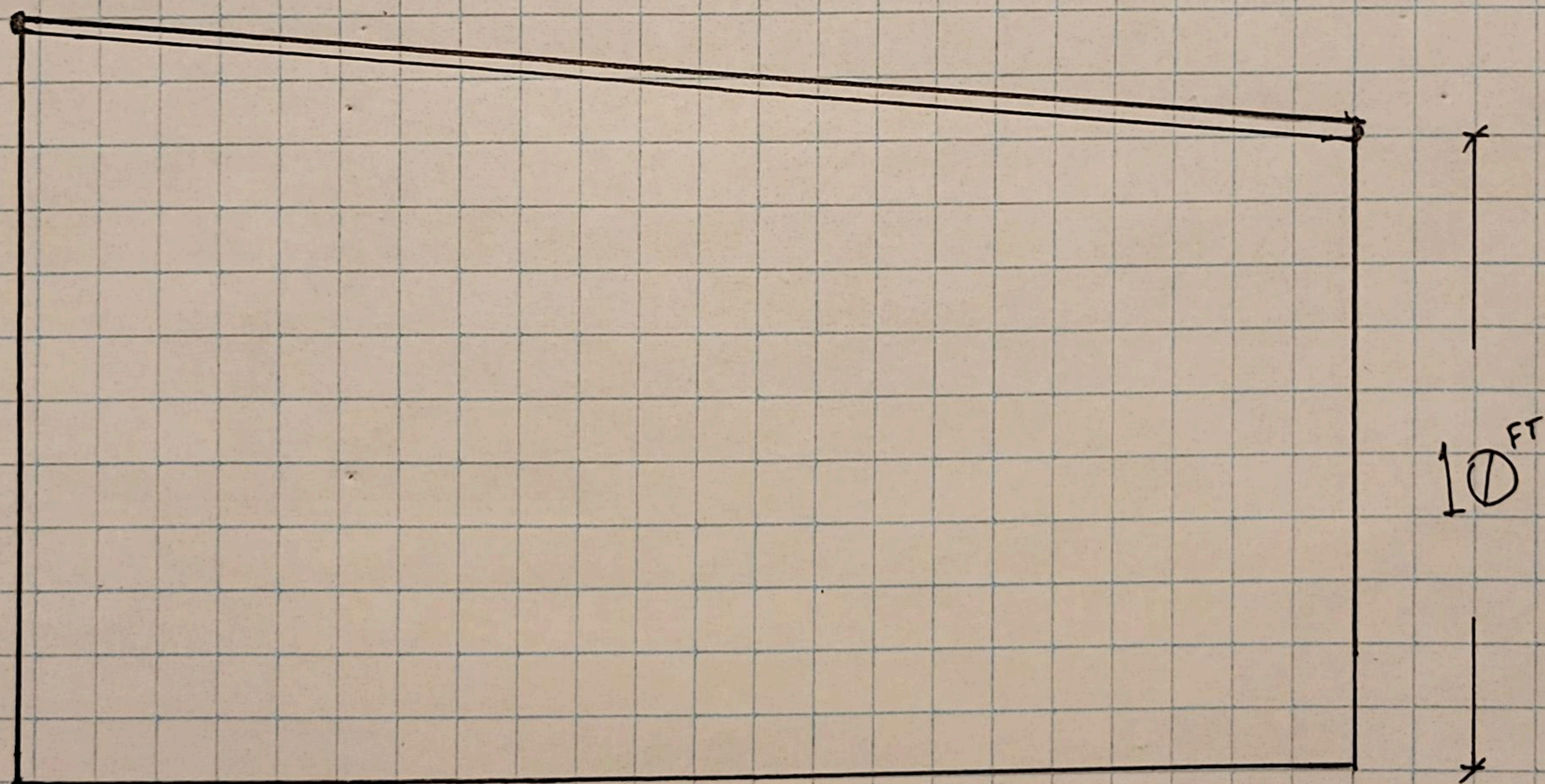


□ = 1 ft

LEFT
ELEVATION



RIGHT
ELEVATION



9 Adams St.
Garage Construction Overview
Materials and General Scope

Foundation/Site Work:

- Excavation as needed (remove existing structure)
- All form work for walls & footings
- All concrete, rebar to support wood frame garage structure
- Backfill & loam
- Ready for seed

Framing:

- Stud walls to be constructed with 2x6 studs
- Pressure treated to be arsenic and chromium free for all ext. framing and sills
- Roof sheathing to be 5/8 inch
- Walls to be ½ inch
- Fire blocking as required by code
- All framing lumber will be installed as required by MA State Code
- Frame for windows, door, and overhead door

Roofing:

- EDPM/PVC roofing to meet non combustible construction requirement
- New gutter and downspouts will be installed as needed
- All roofing perimeters will have drip edge

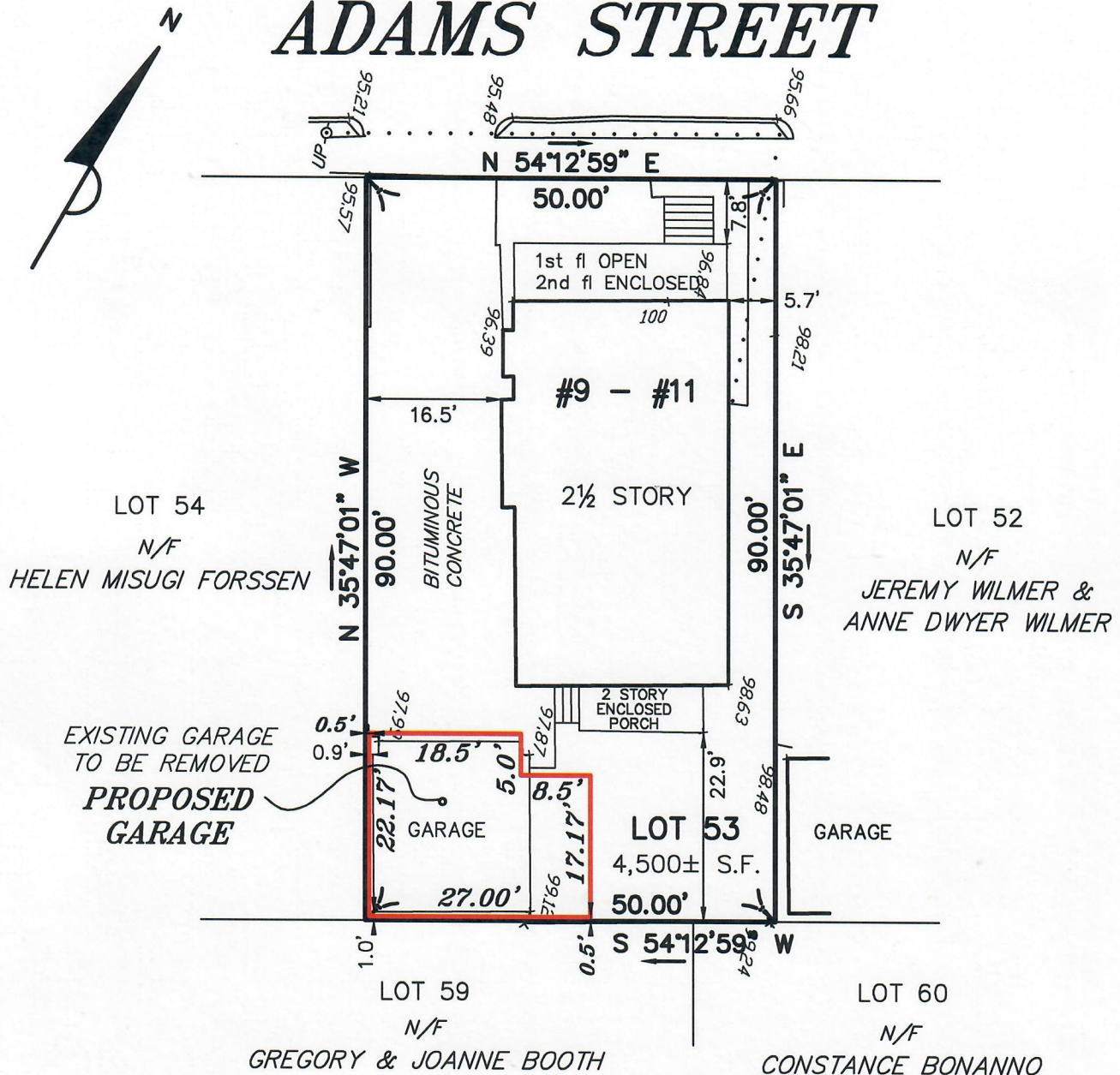
Siding & Exterior trim:

- Hardie Plank Lap siding, Hardie fiber cement siding and trim materials

Electrical:

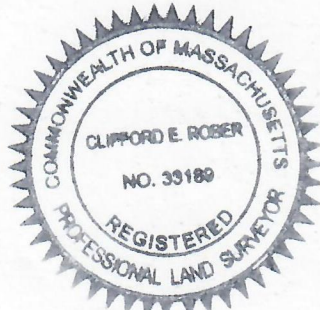
- Service connected to house service
- lighting (exterior/interior), outlets, door openers.

ADAMS STREET



OWNER: GREGORY WALTERS & HEIDI WETTACH

I HEREBY CERTIFY THAT THE BUILDING IS
LOCATED AS SHOWN.



PROPOSED PLOT PLAN
#9 ADAMS STREET
 IN
ARLINGTON, MA
 (MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 7/22/2021



ROBER SURVEY

1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533

6516PP1.DWG

CLIFFORD E. ROBER, PLS

DATE

THIS PLAN MAY HAVE BEEN ALTERED IF
THE SIGNATURE IS NOT SIGNED IN BLUE.



Town of Arlington, Massachusetts

Docket # 3672: 43 Cutter Hill Road

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__43_Cutter_Hill_Road.pdf	ZBA Package, 43 Cutter Hill Road
▣ Memorandum	3672_43_Cutter_Hill_Rd.pdf	DPCD Memo re: 3672--43 Cutter Hill Rd



Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Sai Lee** of Arlington, MA. on August 26, 2021, a petition seeking permission to alter her property located at **43 Cutter Hill Road - Block Plan 066.0-0004-0007.A** Said petition would require a Special Permit under **Section 5.3.9 (A) (Projections into Minimum Yards)** of the Zoning Bylaw for the Town of Arlington.

For documentation relating to this petition, visit the ZBA website at www.arlington.gov/zba.

Zoning Board of Appeals
Christian Klein, RA, Chair

61 of 109

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of 43 Cutter Hill

to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Section 5.3.9. Part A

Enclosed entrances larger than that allowed above (25 sf) may extend into the minimum yard

regulation otherwise provided for the district by special permit.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 43 Cutter Hill Road with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

Sai K Lee

E-Mail: sailee425@gmail.com

Signed: 

Date: 8/19/2021

Telephone: 508-521-0980

Address: 43 Cutter Hill Road, Arlington, MA 02474

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Section 5.3.9. Projections into Minimum Yards
Part A and Part B

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

The new proposed front porch will provide shelter for mail and package delivery.

C). Explain why *the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*

The proposed front porch will be built within the property lines and will not create undue traffic congestion, or unduly impair pedestrian safety.

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

The proposed front porch is an fully open and does not equip with any plumbing fixture.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

Section 5.3.9. Part B

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The new proposed front porch will be built with the same materials as existing house and will be seen as part of, not separate from the existing house. The new proposed front porch will provide shelter for mail and package delivery.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The new proposed front porch will be built with the same materials as existing house and will be seen as part of, not separate from the existing house. The new proposed front porch will in fact enhance the look and feel of the neighborhood.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 43 Cutter Hill Road Zoning District: R-1

2. Present Use/Occupancy: Residential/Single Family No. of dwelling units 1

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
2193 Sq. Ft.

4. Proposed Use/Occupancy: Residential/Single Family No. of dwelling units 1

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
2301 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning	
6. Lot size (Sq. Ft.)	8038	8038	min.	6000
7. Frontage (Ft.)	60	86.71	min.	60
8. Floor area ratio	21%	21%	max.	N/A
9. Lot Coverage (%)	15.5	16.8	max	35
10. Lot Area per Dwelling Unit (Sq. Ft.)	N/A	N/A	min.	N/A
11. Front Yard Depth (Ft.)	23	19.3	min.	25
12. Left Side Yard Depth (Ft.)	25.4	25.4	min.	10
13. Right Side Yard Depth (Ft.)	37.6	37.6	min.	10
14. Rear Yard Depth (Ft.)	15.7	15.7	min.	14.86'
15. Height (Stories)	1	1	max.	2.5
16. Height (Ft.)	13	13	max.	35
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	5779	5699		
17A. Landscaped Open Space (% of GFA)	71.9	70.9	min.	10
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	6318	6221		
18A. Usable Open Space (% of GFA)	78.6	77.4	min.	30
19. Number of Parking Spaces			min.	
20. Parking area setbacks (if applicable)			min.	
21. Number of Loading Spaces (if applicable)			min.	
22. Type of construction		IV-B	N/A	
23. Slope of proposed roof(s) (in. per ft.)			min.	

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 43 Cutter Hill Road Zoning District: R-1

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>8038</u>	<u>8038</u>
Open Space, Usable	<u>6318</u>	<u>6221</u>
Open Space, Landscaped	<u>5779</u>	<u>5699</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

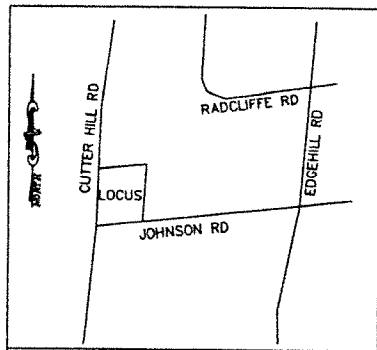
<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>49</u>	<u>49</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>1034</u>	<u>1034</u>
1 st Floor	<u>1110</u>	<u>1110</u>
2 nd Floor	<u> </u>	<u> </u>
3 rd Floor	<u> </u>	<u> </u>
4 th Floor	<u> </u>	<u> </u>
5 th Floor	<u> </u>	<u> </u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u> </u>	<u> </u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u> </u>	<u> </u>
All weather habitable porches and balconies	<u> </u>	<u>108</u>
Total Gross Floor Area (GFA)	<u>2193</u>	<u>2301</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u>5779</u>	<u>5699</u>
Landscaped Open Space (% of GFA)	<u>71.9</u>	<u>70.9</u>
Usable Open Space (Sq. Ft.)	<u>6318</u>	<u>6221</u>
Usable Open Space (% of GFA)	<u>78.6</u>	<u>77.4</u>

This worksheet applies to plans dated 08/01/2021 designed by SHAWN LIANG

Reviewed with Building Inspector: _____ Date: _____



NOTE. UNDERGROUND, AS WELL AS OVERHEAD UTILITY DATA INDICATED IS PLOTTED FROM VISIBLE FIELD LOCATIONS AND AVAILABLE RECORDS. THE LOCATIONS ARE APPROXIMATE ONLY AND VERIFICATION MUST BE MADE IN THE FIELD. DIAL 1-888-DIG-SAFE PRIOR TO CONSTRUCTION.

LOCUS MAP

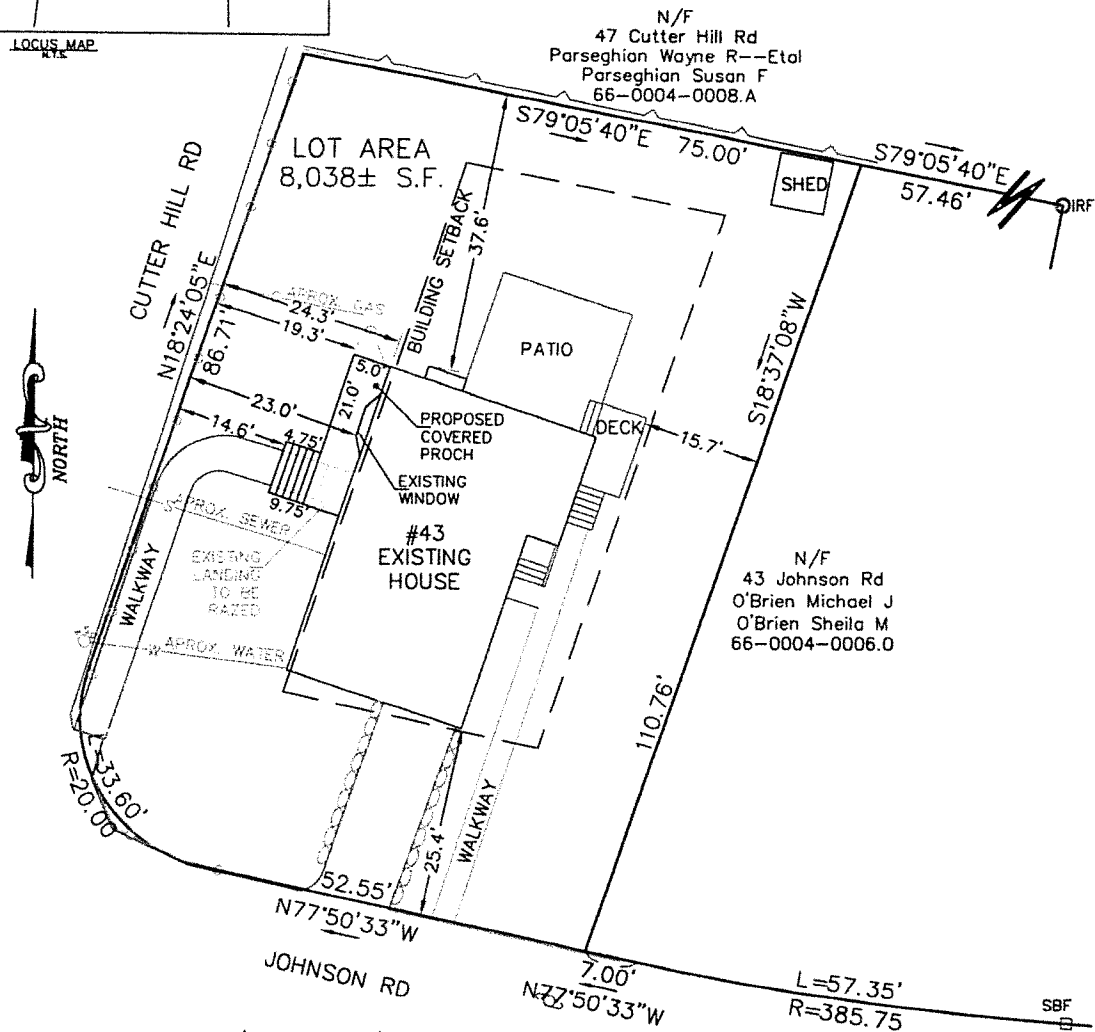


TABLE OF AREAS:	REQ.	EXISTING.	PROP.
FRONT SETBACK	25 FT	23.0 FT	19.3 FT
SIDE SETBACK	10 FT	37.6 FT	37.6 FT
REAR SETBACK	14.86 ft	15.7 FT	15.7 FT
BUILDING HEIGHT	35 (2.5)	EXIST.	EXIST.
LANDSCAPED OPEN SPACE	10%	71.9± %	70.7± %
USABLE OPEN SPACE	30%	78.6± %	77.4± %
MAX. LOT COVERAGE	35%	15.5± %	16.8± %

I CERTIFY THAT THE EXISTING BUILDING IS LOCATED AS SHOWN HEREON AND THAT THE PROPOSED ADDITION LOCATION DOES NOT CONFORM TO THE DIMENSIONAL SETBACK REQUIREMENT OF THE ZONING BYLAW OF THE TOWN OF ARLINGTON, MA.

PROPOSED ADDITION
PLOT PLAN
LOCATED ON
43 CUTTER HILL ROAD
ARLINGTON, MA
PREPARED FOR & OWNED BY
SAI K. LEE
SCALE: 1"=20'
08-02-2021

SURVEY BY: R. Mankaryous DESIGN BY: R. Mankaryous REVIEW BY: JON L. FAGERSTROM SHEET #: 1

The structure is not located within a Federal Flood Zone per HUD Map # 25017C Community # 0416E dated 06/04/2010

ZONING: R1
FRONT YARD: 25
SIDE YARD: 10
REAR YARD: 14.86 (20% LOT DEPTH)
BUILDING HEIGHT: 35 (2.5 STORIES)

ASSESSORS ID: 66-004-0007.A
DEED REF. BOOK: 75569 PAGE: 504
RECORDED: S. MIDDLESEX REGISTRY OF DEEDS

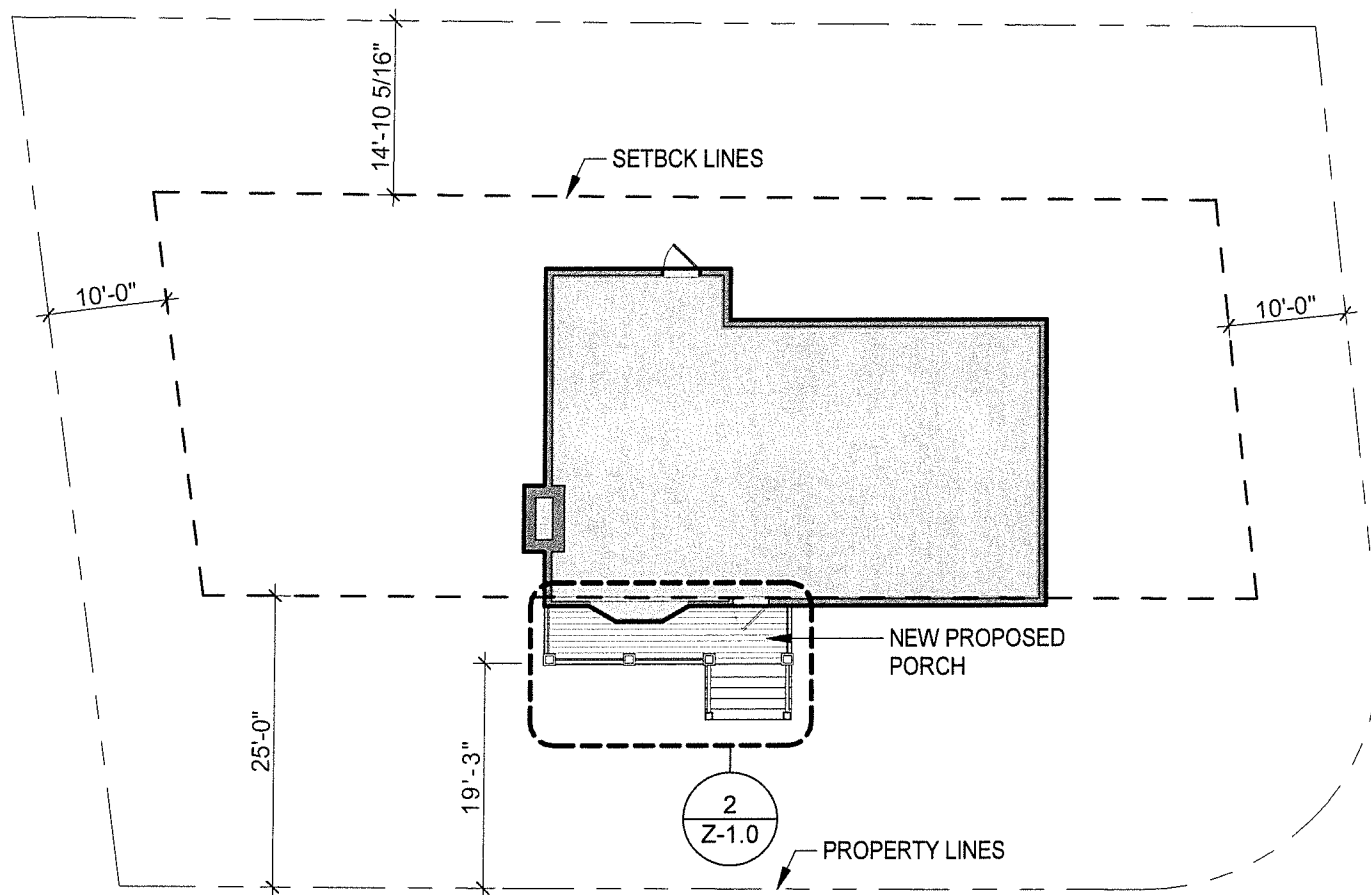


**ALPHA OMEGA
ENGINEERING INC**

ENVIRONMENTAL CONSULTANTS
CIVIL ENGINEERS • LAND SURVEYORS
25 HIGHLAND VIEW DR
SUTTON, Massachusetts 01590
(508) 865-9551
info@alphaomegaeng.net

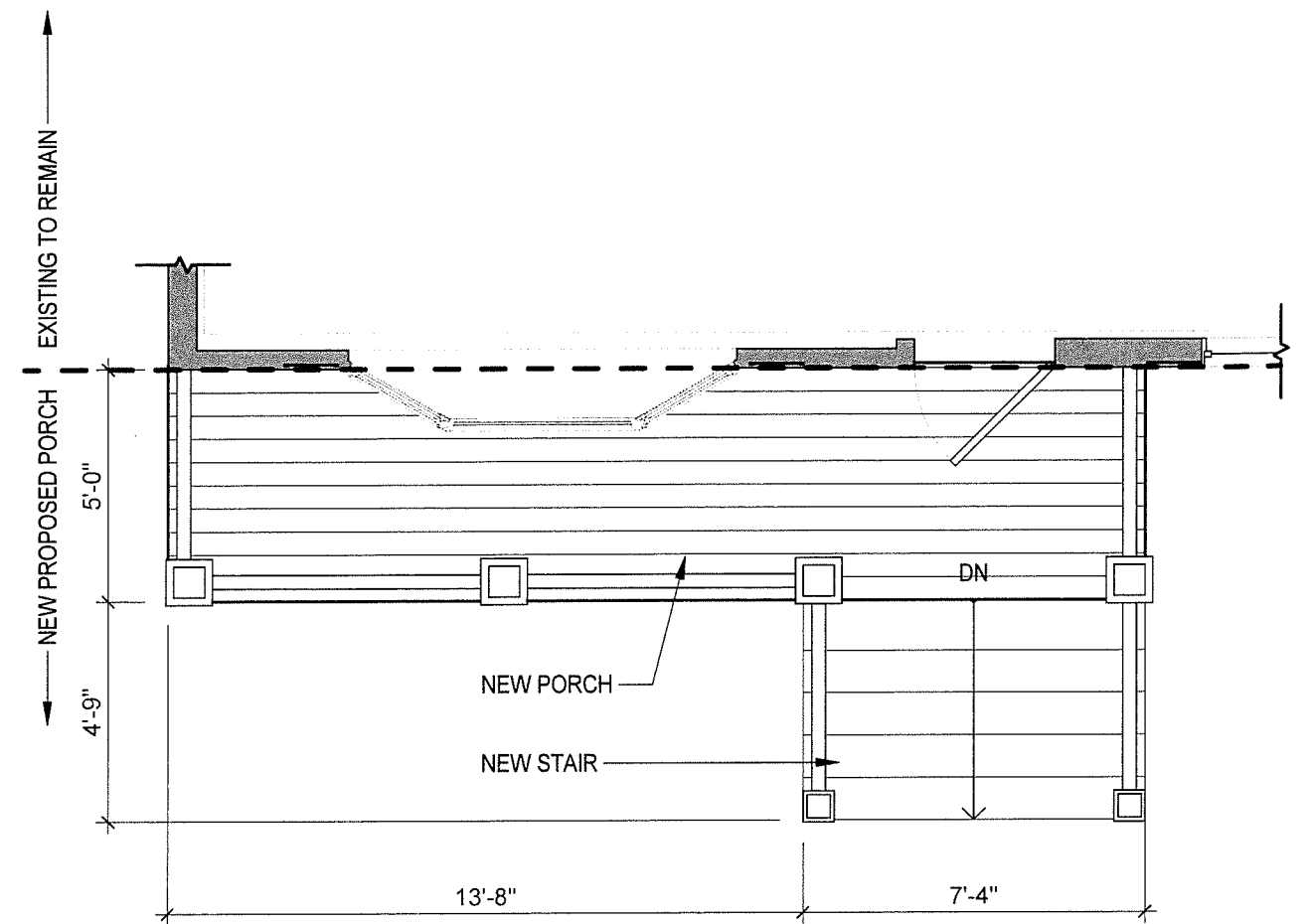


JON L. FAGERSTROM P.L.S. #49205

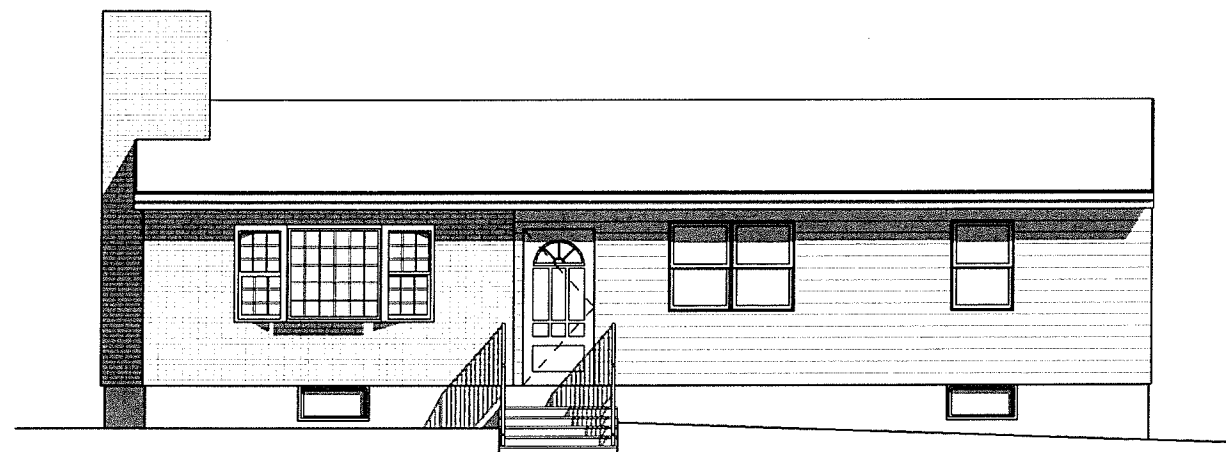


*REFER PLOT PLAN FOR COMPLETE LOT DIMENSION AND SITE INFORMATION.

1 SITE PLAN
1/16" = 1'-0"



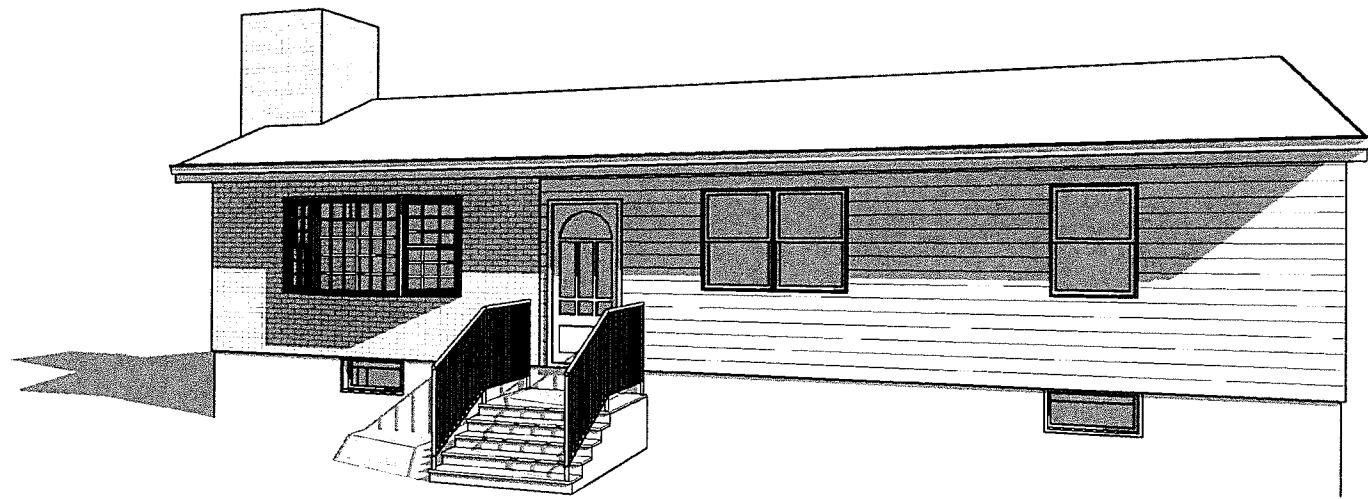
2 NEW PORCH PLAN
1/4" = 1'-0"



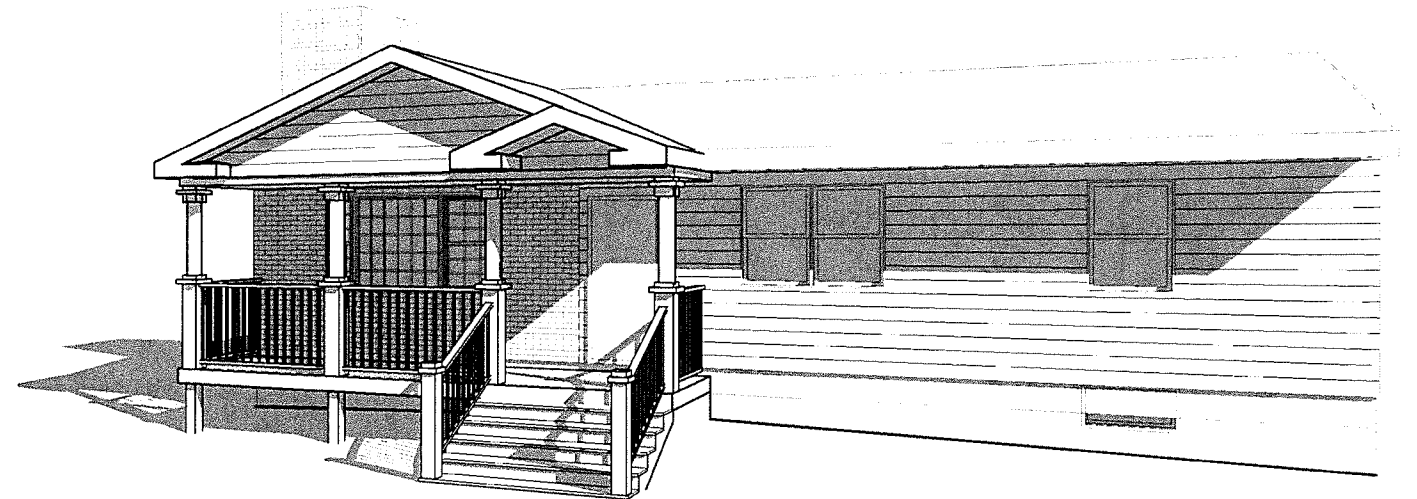
3 FRONT ELEVATION - EXISTING
1/8" = 1'-0"



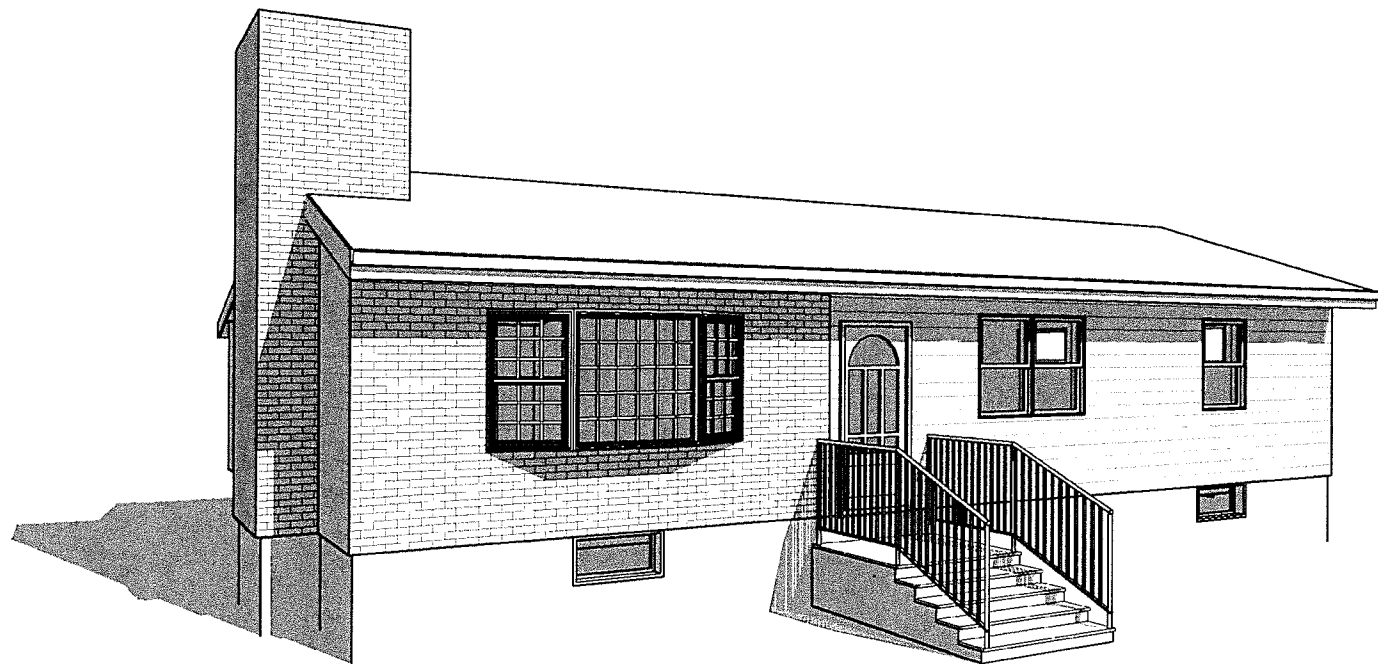
4 FRONT ELEVATION - NEW
1/8" = 1'-0"



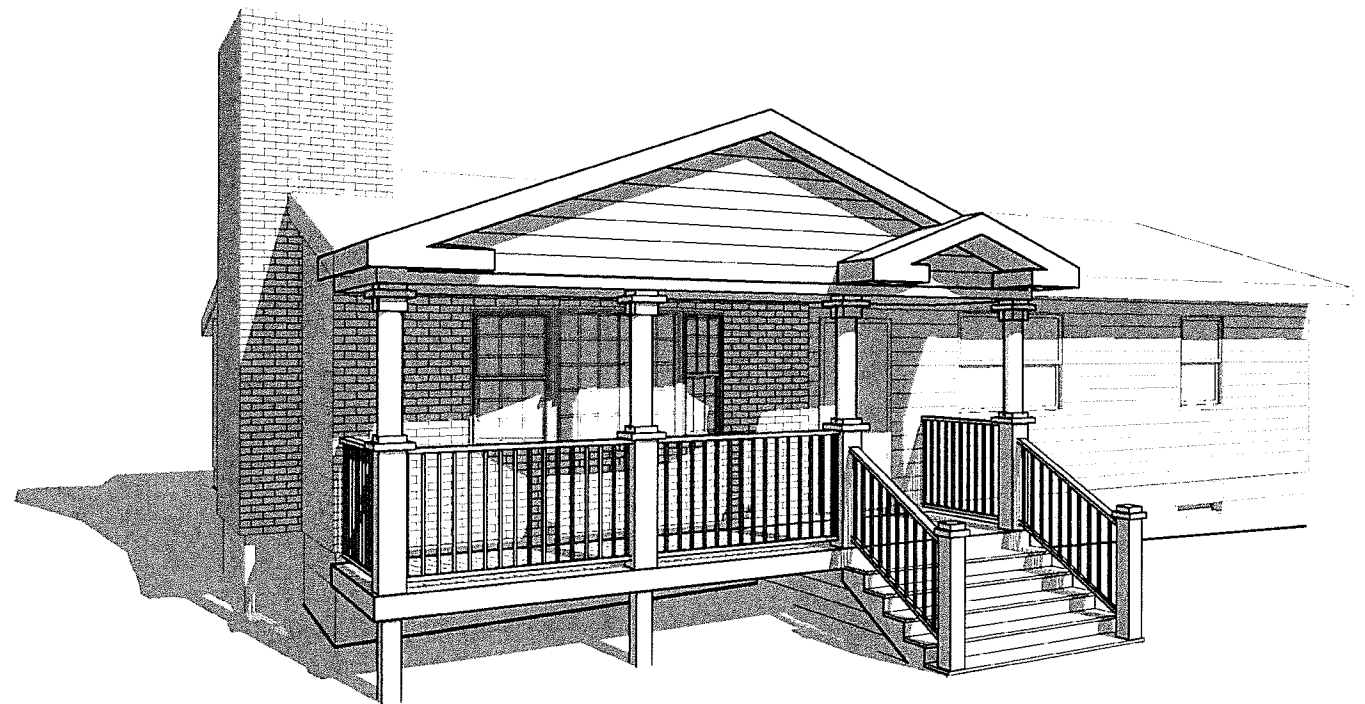
3D VIEW 1 - BEFORE



3D VIEW 2 - EXISTING



3D VIEW 2 - BEFORE



3D VIEW 2 - NEW



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl
Date: 10/20/2021
RE: Docket 3672 – 43 Cutter Hill Rd; Special Permit under Zoning Bylaw Section 5.3.9
Projections into Minimum Yards (A)

The applicant, Sai Lee, seeks a Special Permit in accordance with Section 5.3.9 (Projections into Minimum Yards (A)). The applicant seeks to construct a covered front porch and replace an existing front stairway in the front yard setback of an existing structure. The proposed porch is approximately 105 square feet, which exceeds the maximum 25 square foot projection into a minimum yard allowable by right in the zoning bylaw. The purpose of the project is to improve the convenience and safety of the front primary entrance to the dwelling and provide shelter from inclement weather.

The structure is on a corner lot in the R1 zoning district and is nonconforming with the Zoning Bylaw's front yard setback on the Cutter Hill façade. The proposed porch would project forward five feet into the front yard setback, and the new entry stair would project forward another 4.75 feet.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted in the R-1 Zoning District through the granting of a special permit.

Criterion #2: Public Convenience/Welfare

This proposal would improve the convenience and safety of the owner's entrance to their home.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

There would not be an undue burden on municipal systems.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

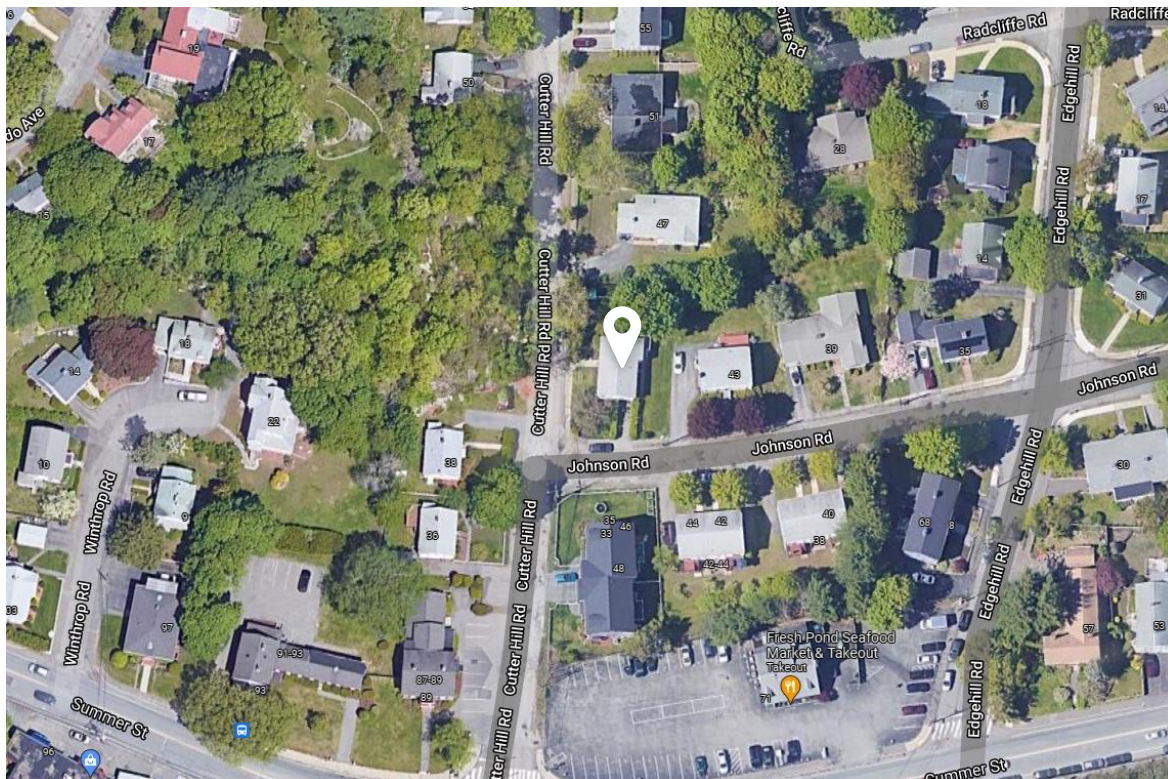
The area includes a mix of old and new construction; no single architectural style predominates. Most older structures along Johnson Road and Cutter Hill Road lack a front porch or covered entry, and while new construction and additions to structures on Cutter Hill Road typically features porches and covered entries. Additionally, this property is visually separated from others along Cutter Hill Road by a thick stand of trees and a road narrowing in the area where the private way transitions to a public way. While the proposed deck exceeds the maximum square footage allowable by right, the overall proposal is not substantially more detrimental to the neighborhood than the existing structure.

The proposed covered porch is both functional and adds visual interest to the front façade of the existing structure. The features will introduce human-scaled architectural variation to the overall streetscape and add visual interest to the front façade of the structure¹. Overall, this proposal would not detrimentally impact the neighborhood character of the district or adjoining districts, nor will it be detrimental to the health, morals, or welfare of the neighbors of the property.

Criterion #7: Detrimental Excess in Particular Use

This proposal would not cause any detrimental excesses.

Below are aerial and street-based photos of the current building:



¹ Principle B-1 (pg. 26) and C-1 (pg. 34), Residential Design Guidelines (pg. 34), available at <https://www.arlingtonma.gov/home/showpublisheddocument/54518/637472609831970000>



Recommendation:

The Department of Planning and Community Development maintains that this proposal is consistent with the Zoning Bylaw and recommends that the Zoning Board of Appeals approve this application.

Related Dockets:

- #3654: 14 Nicod St—Applicant sought a special permit to add a front porch extending the width of a newly constructed house in the R1 Zoning District, citing convenience, safety, and improved design aesthetics.
- #3641: 69 Epping St—Applicant sought a special permit to add a mudroom and portico within the minimum front yard setback in an R1 district, citing safety and weather concerns. Approved on 1/12/21.
- #3608: 68 Margaret St—Applicant sought a special permit to increase the size of the existing entryway to 43 square feet, citing the need for weather protection and other structures on their street with entryways larger than 25 square feet. Approved on 10/29/19.



Town of Arlington, Massachusetts

Docket # 3668: 125-127 Webster Street

ATTACHMENTS:

Type	File Name	Description
Reference Material	BMcKenna_VarianceApplication_Oct26.pdf	BMcKenna_VarianceApplication_Oct26.pdf
Reference Material	signatures.pdf	signatures.pdf
Reference Material	BMcKenna_SpecialPermitApplication_Oct26.pdf	BMcKenna_SpecialPermitApplication_Oct26.pdf

REQUEST FOR VARIANCE
TOWN OF ARLINGTON

In the matter of the Application of **Bruce McKenna**
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Variance is herewith made, in accordance with Section 3.2 of the Zoning Bylaw of the Town of Arlington, Massachusetts seeking relief from the following specific provisions of the Zoning Bylaw, and as described more fully in the attached form, *Variance Criteria*:

Seeking relief from Zoning Bylaw limiting homes in Zone R2 from completing a 3rd
story over 1/2 the square footage of the current footprint as cited in chart
R District Building Height and Floor Area Ratio Regulations PAGE 61.

The Petitioner/Applicant states he/she/they is/are the owner-occupant of the land in Arlington located at 125/127 Webster St. with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

To increase the living space of the second floor apartment with a construction that
would increase the square footage of the 3rd floor above a 1/2 story while maintaining
the current peak height. All construction will be done within the confines of the current
footprint of the house.

E- Mail: bmckenna50@yahoo Signed: _____ Date: _____
Telephone: 781-696-3939 Address: 125/127 Webster St. Arlington, MA 0

- 1. Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.**

Due to the layout of the existing structure and the desire to create the most environmentally friendly, energy efficient and cost effective expansion, a variance is needed in order to expand beyond the limit of 2.5 stories.

- 2. Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structure noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.**

The Petitioner seeks permission for a variance on this project for several reasons; A.) The main purpose of the extension is to allow for a multi-generational family to continue to live together in a more comfortable space. B.) The design also considers the environmental factor of energy efficiency in regards to insulation, heating and cooling. The simple framing proposed allows for a well insulated and sealed addition and also allows for a substantial solar array to be placed on the roof with room for future array for electric vehicle charging. These factors combined allow for a more sustainable and energy efficient space to be created.

In conclusion, the enforcement of the provisions could firstly limit the possibility of the homeowner's son to continue to live in the house, and thus the town he grew up in along with his fiancée. This puts a financial and emotional strain on the family unit as a whole as due to increased housing costs, it is harder for working class families to stay in the town of Arlington.

Secondly, any limit or contingency placed upon the proposed design could impede the efficiency and efficacy of the space, thus causing issues in the future in regards to roof damage, water issues, lack of heating/cooling efficiency or an inefficient solar array - all of which could negatively impact the homeowner(s) financially in the future.

3. Describe how the desirable relief may be granted without substantial detriment to the public good.

The desired relief has no detriment to the public good as the plan does not impede on any other properties, it does not change the makeup of the neighborhood and it will not change the number of inhabitants in the home.

If anything, the proposal has potential to be a boon to the community as it allows for a long-term Arlington family to remain in the home that they own, keeping the property from being bought by developers or potential rental agencies. It also allows for the growth of the family within their home, keeping the neighborhood family oriented and thus maintaining the character of the area.

4. Describe how desirable relief may be granted ... without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

While we cannot be sure of the original intent of this Zoning Bylaw, we presume it was either to ensure that builders created ample pitch to the roof to protect homeowners from the weight of snow in winter or to prevent turning a neighborhood of primarily two-family homes into triple decker rental units. In either scenario our current plan does not derogate from the intent of this bylaw.

In response to the former, modern building techniques can allow for more shallowly pitched rooflines that can still withstand snow weight in the winter, and current roof membranes are now suited to deal with the snow melt and rain runoff as well. (See answer to Question 2 for explanation as to why our plan addresses structural issues and the integrity of the house through the future.)

In response to the latter, as has been mentioned before, we are a family unit with three generations and a potential fourth not far away. In order for the current youngest generation to stay in Arlington, we are trying to create more living space for them to remain and also develop a future family in the neighborhood, and there is no intent of subdividing this house into condominiums or to turn it into multiple rentals.

Lastly, there is a new provision for accessory dwelling unit 8.1.3 E which states that the creation of such a unit, "will not result in any additional nonconformity as long as it does not increase the footprint or height of said building." If we were to adjust our plan very slightly, it would appear to fall within this exemption.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 125/127 WEBSTER ST. Zoning District: R2
2. Present Use/Occupancy: TWO-FAMILY No. of dwelling units 2
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
5,429 Sq. Ft.
4. Proposed Use/Occupancy: 2 FAMILY No. of dwelling units 2
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
5,962 Sq. Ft.

6. Lot size (Sq. Ft.)
7. Frontage (Ft.)
8. Floor area ratio
9. Lot Coverage (%)
10. Lot Area per Dwelling Unit (Sq. Ft.)
11. Front Yard Depth (Ft.)
12. Left Side Yard Depth (Ft.)
13. Right Side Yard Depth (Ft.)
14. Rear Yard Depth (Ft.)
15. Height (Stories)
16. Height (Ft.)
17. Landscaped Open Space (Sq. Ft.)
Refer to Section 2 in the Zoning Bylaw.
- 17A. Landscaped Open Space (% of GFA)
18. Usable Open Space (Sq. Ft.)
Refer to Section 2 in the Zoning Bylaw.
- 18A. Usable Open Space (% of GFA)
19. Number of Parking Spaces
20. Parking area setbacks (if applicable)
21. Number of Loading Spaces (if applicable)
22. Type of construction
23. Slope of proposed roof(s) (in. per ft.)

Present Conditions	Proposed Conditions	Min. or max Required by Zoning
4,934	4,934	min. 6,000
68.72	68.72	min. 60
NA	NA	max. NA
35%	35%	max 35%
NA	NA	min. NA
9	9	min. 20
16	16	min. 10
10 1/2	10 1/2	min. 10
19	19	min. 20
2.5	2.5	max. 2.5
34	34	max. 35
1,923	1,923	
35.4%	32.2%	min.
623	683	
0.00%	0.00%	min. 0.00%
5	5	min. 2
NA	NA	min. NA
NA	NA	min. NA
WOOD	WOOD	N/A
9.5/12	2 5/8 /12	min. ✓

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 125/127 WEBSTER ST. Zoning District: R2

OPEN SPACE*

	EXISTING	PROPOSED
Total lot area	<u>4,934</u>	<u>4,934</u>
Open Space, Usable	<u>623</u>	<u>683</u>
Open Space, Landscaped	<u>1,923</u>	<u>1,923</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	<u>—</u>	<u>—</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>1242</u>	<u>1242</u>
1 st Floor	<u>1580</u>	<u>1580</u>
2 nd Floor	<u>1756</u>	<u>1756</u>
3 rd Floor	<u>—</u>	<u>901</u>
4 th Floor	<u>—</u>	<u>—</u>
5 th Floor	<u>—</u>	<u>—</u>
Attic (greater than 7'-0" in height, excluding elevator machinery; or mechanical equipment)	<u>634</u>	<u>266</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>—</u>	<u>—</u>
All weather habitable porches and balconies	<u>217</u>	<u>217</u>
Total Gross Floor Area (GFA)	<u>5,429</u>	<u>5,962</u>

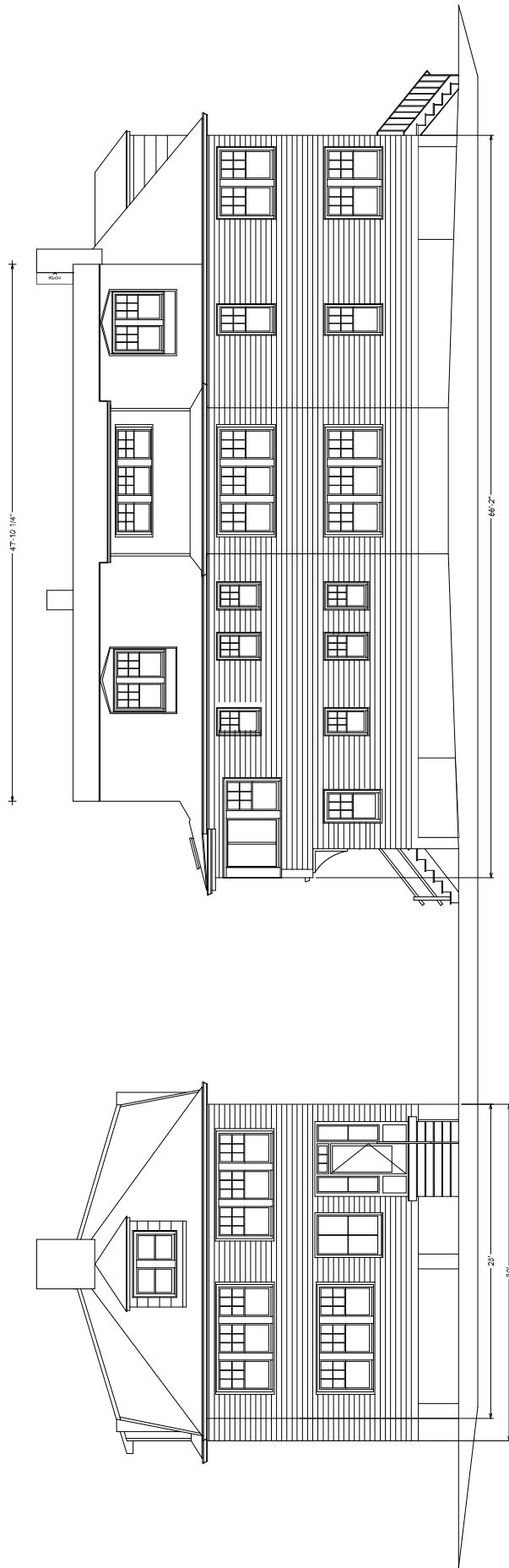
† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

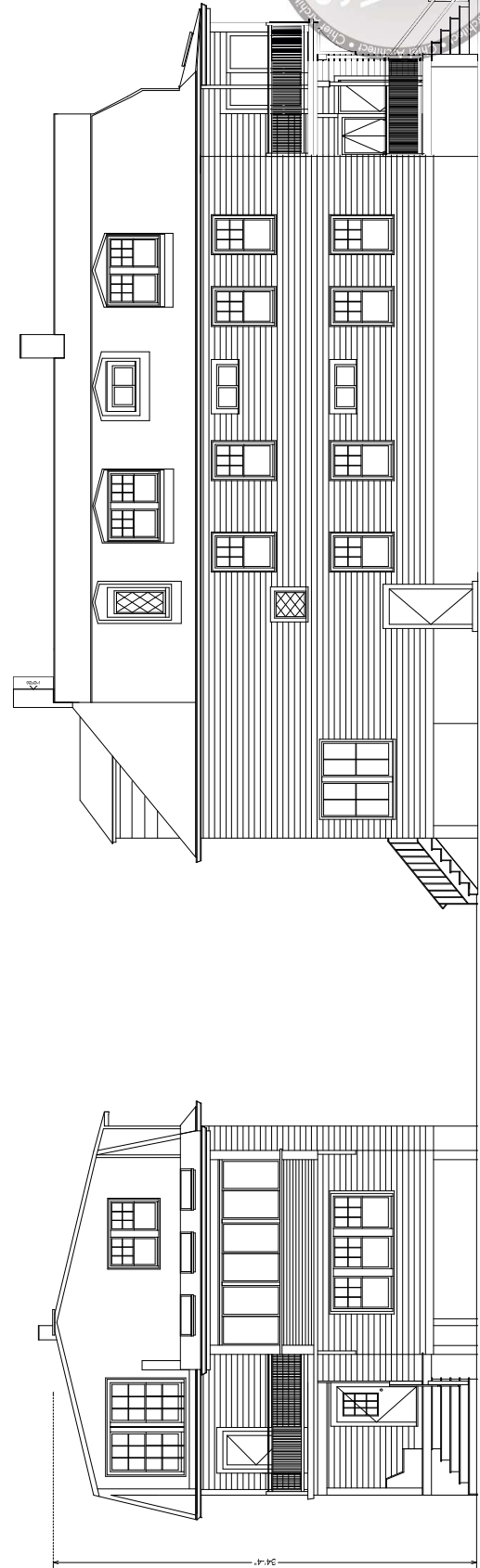
Landscaped Open Space (Sq. Ft.)	<u>1,923</u>	<u>1,923</u>
Landscaped Open Space (% of GFA)	<u>35.4%</u>	<u>32.2%</u>
Usable Open Space (Sq. Ft.)	<u>623</u>	<u>683</u>
Usable Open Space (% of GFA)	<u>11.5%</u>	<u>11.5%</u>

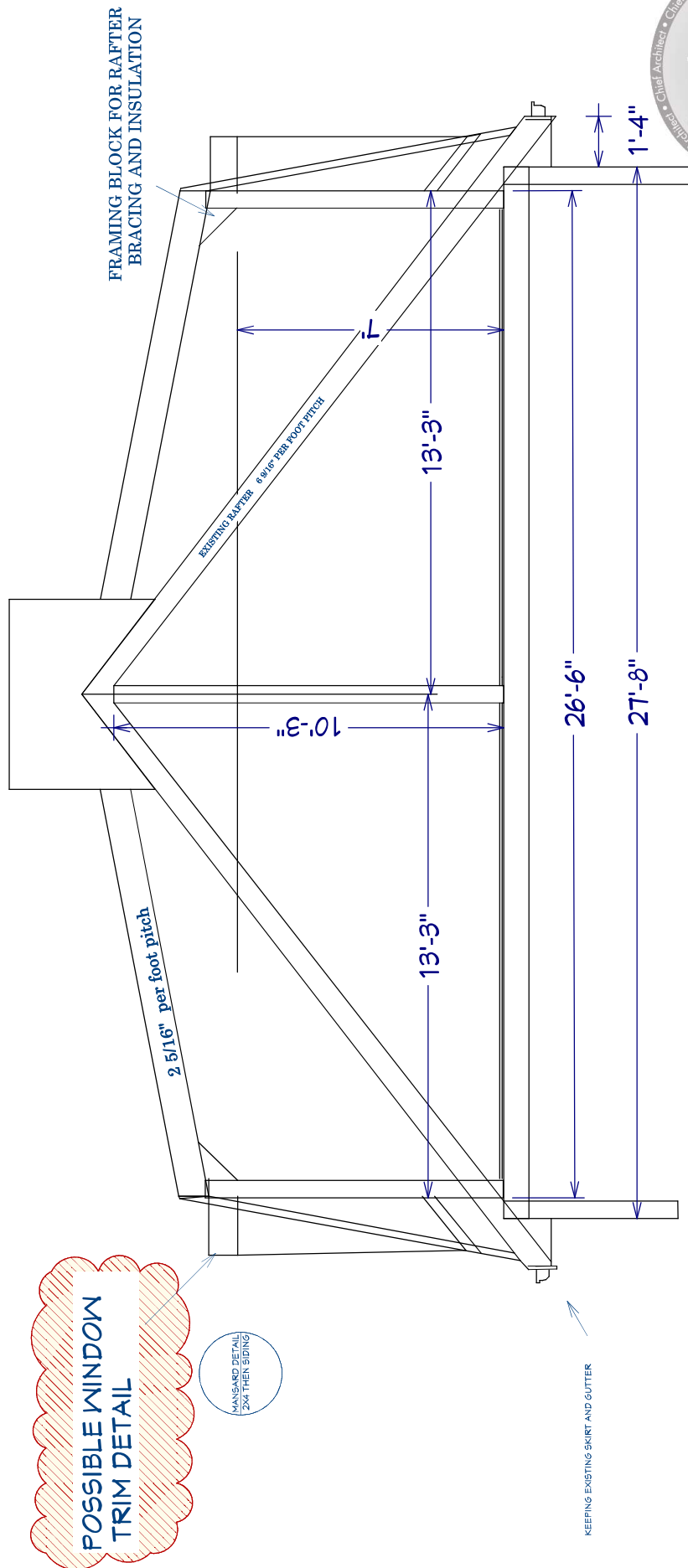
This worksheet applies to plans dated _____ designed by _____

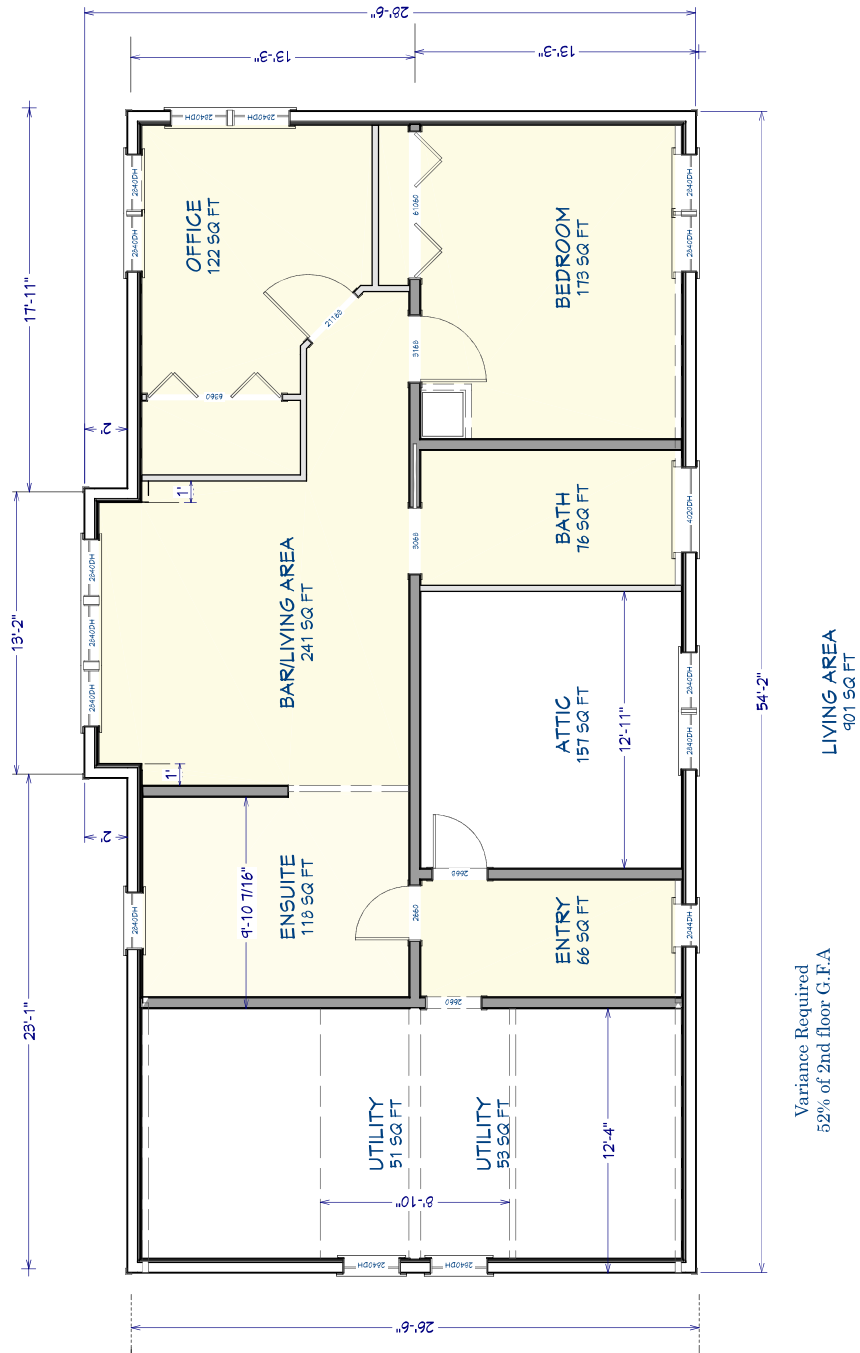
Reviewed with Building Inspector: _____ Date: _____

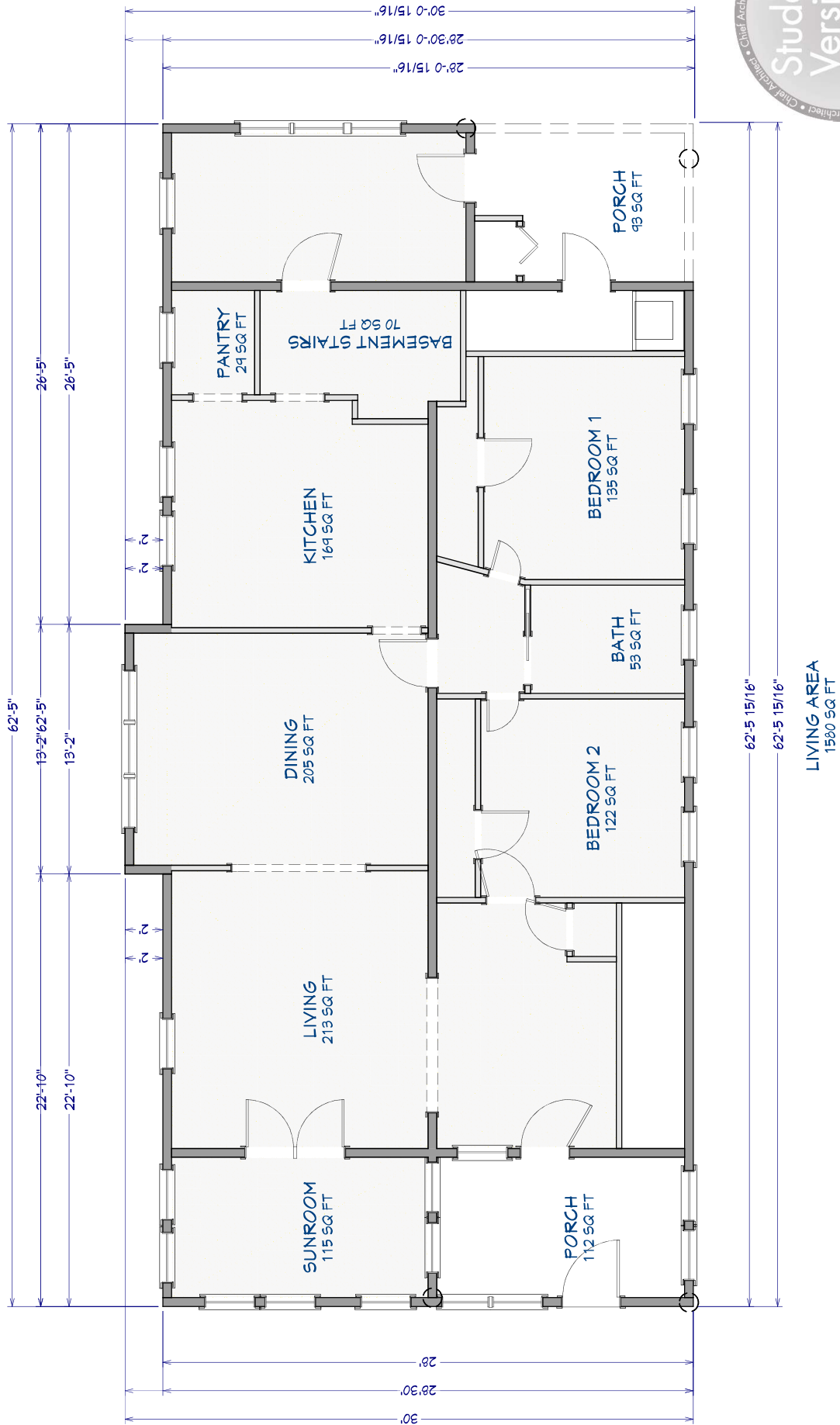


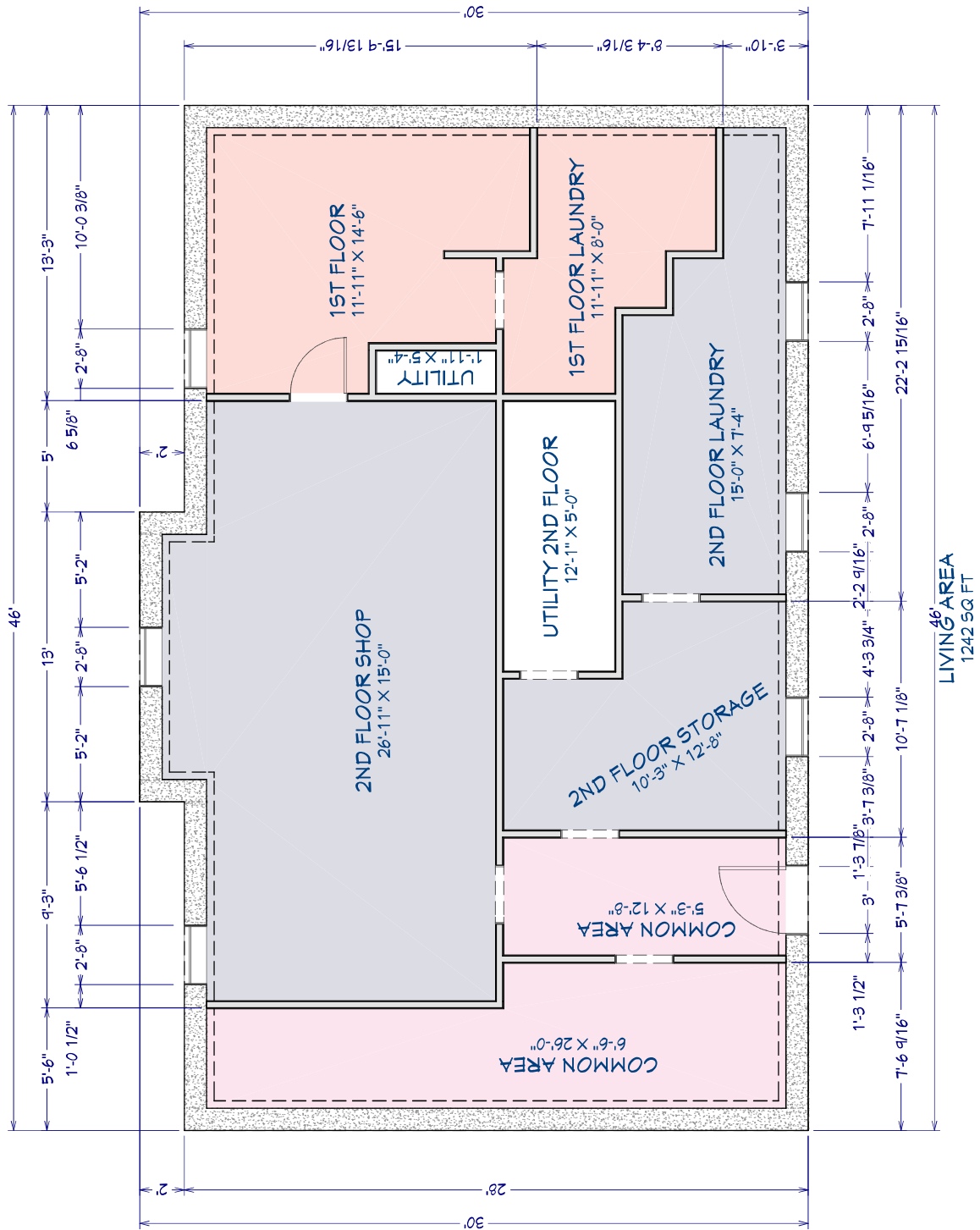
Optimal design Gambrel style side walls

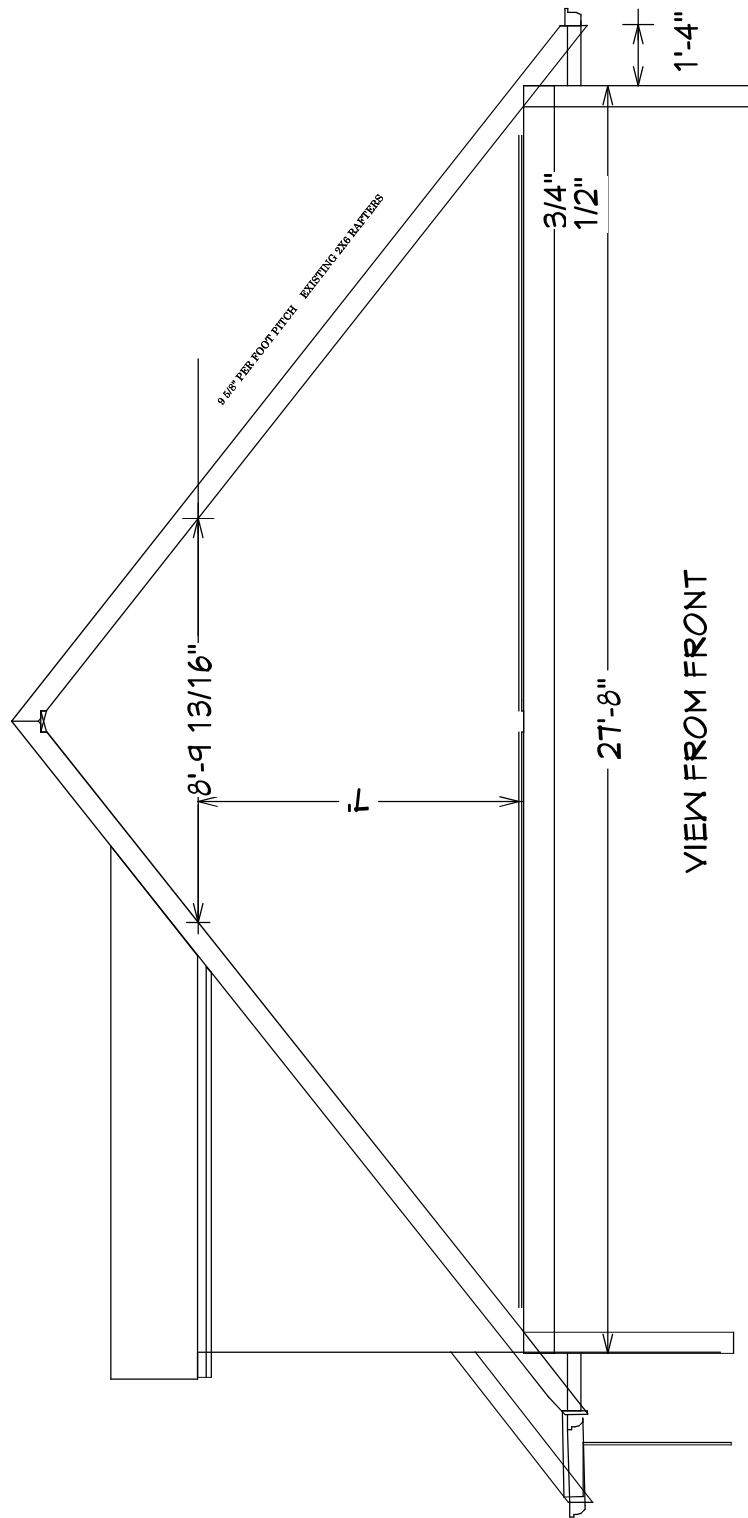


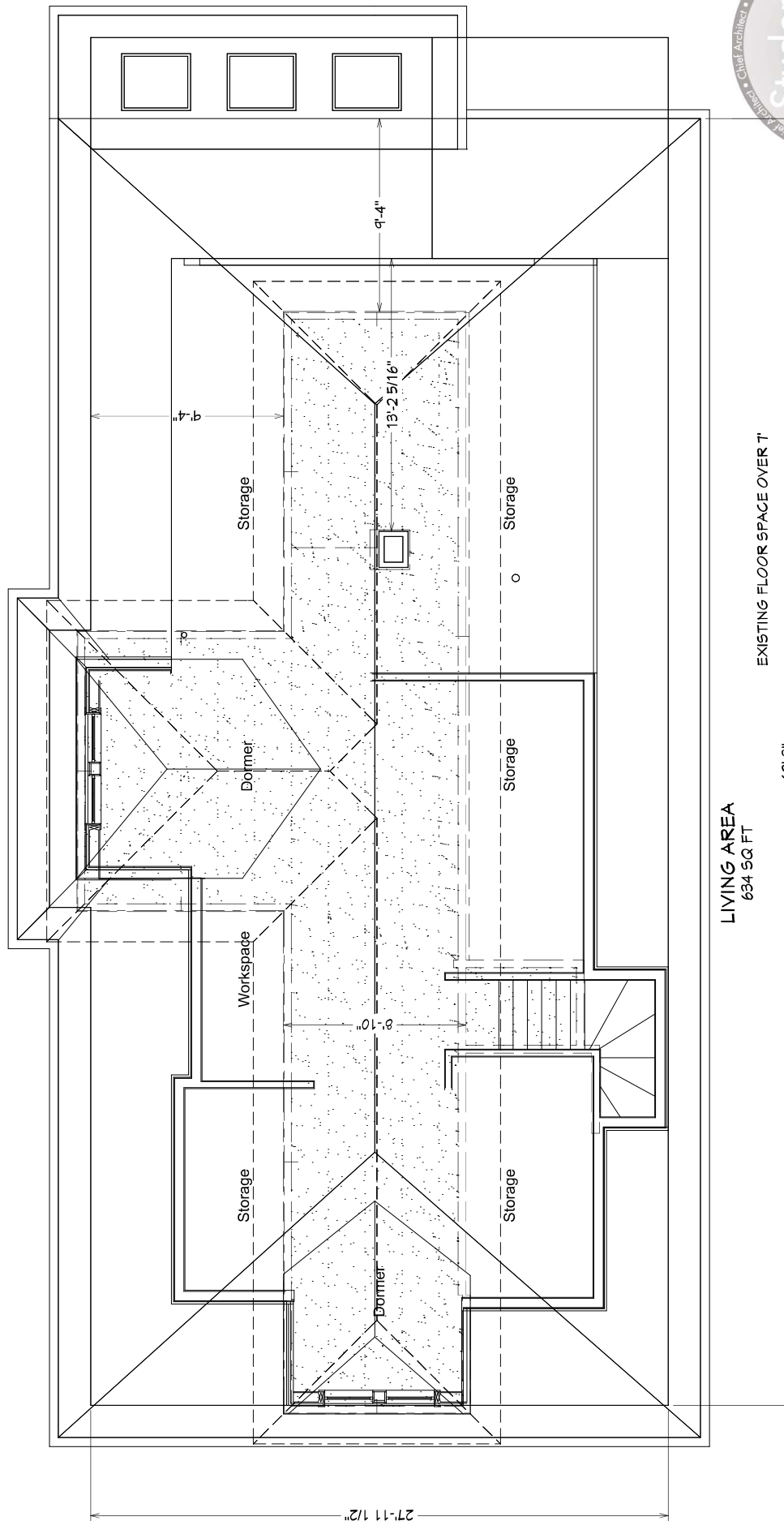












LIVING AREA
634 SQ FT

EXISTING FLOOR SPACE OVER T'











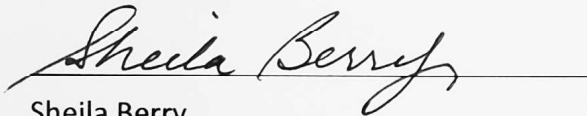
The undersigned homeowners and citizens of the town of Arlington have no objections to the petition filed by Bruce McKenna of Arlington, Massachusetts on August 20, 2021 seeking permission to alter his property located at 125-127 Webster St. (Block Plan 044.0-0005-0010.0). The signatories believe the granting of the Special Permit under Section 8.1.3 (B) and Variance under Section 6.00 respectively of the Zoning Bylaw for the Town for Arlington would have no adverse effects on the aesthetics or functioning of the neighborhood, and believe supporting the ability of multi-generational families to remain in Arlington benefits the community as a whole.

Name (Printed)	Address	Signature
ROB EAGAN	234 GRAY ST ARLINGTON, MA	[Signature]
Elizabeth Eagon	234 Gray St Arl. MA	[Signature]
MATTHEW CARMODY	143 SCITUATE ST ARL. MA	[Signature]
Jennifer Carmody	143 Scituate Arl	[Signature]
Kambiz & Geri Vatan	240 Broadway Arl.	[Signature]
Will MARTIN	6 MICHAEL ST	[Signature]
Robert Garza	172-174 Palmer St	[Signature]
maureen math	6 michael st.	[Signature]
Michael Martin	6 Michael St	[Signature]
Antonio Joaristi	24 Beck Rd 2RR Arlington 02476	[Signature]
Ann M. Bowler	48 Palmer St, Arl. 02474	[Signature]
Linda Orape	51 Palmer St Arlington	[Signature]
Susan Bran	99 Waveren St. Arlington MA	[Signature]
Shirley Heath	121 Palmer St Arlington MA	[Signature]
Mary Heath	121 Palmer St Arlington MA	[Signature]
Phyllis & John Makorey	35 Newland Rd. Arl. MA	[Signature]
Donna EIDSON	121 Scituate St Arl. MA	[Signature]

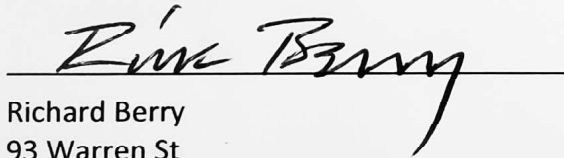
[illegible]

To Whom It May Concern:

My husband Richard Berry and I would like to voice our support for the permit and variance requested by Bruce McKenna at 125-127 Webster Street. We have lived at 93 Warren Street for over 30 years, down the street from my own parents, and would like for our daughter, Katherine Berry, to be able to remain in Arlington as well. As prices have risen in the town over the years, it has become infeasible for many families who have long lived here to purchase or rent property in their home area. Kate and her siblings have always been very involved in the neighborhood where they grew up, visiting their aunts and uncles, grandparents, and other elderly residents, babysitting and shoveling for neighbors, and spending time with local friends. One of the wonderful aspects of Arlington is the development of these sorts of supportive communities, and we hope the town sees the value of enabling the continuation of such networks as times change. It is important to us to have our daughter and her fiancé, Luke Weaver, also a lifelong resident, remain in Arlington and continue to cultivate positive community ties, and stay in close contact with their families and loved ones. We find no issue with the raising of the roof at 125-127 Webster St, and encourage the facilitation of multi-generational homes in the town.

A handwritten signature in cursive script, reading "Sheila Berry", written over a horizontal line.

Sheila Berry
93 Warren St
Senior Library Assistant, Circulation Dept., Robbins Library

A handwritten signature in cursive script, reading "Rick Berry", written over a horizontal line.

Richard Berry
93 Warren St
Artist & small business owner, 24 Beck Rd., formerly at Mirak Innovation Park

To Whom It May Concern:

As a lifelong Arlington resident and the grandmother of Katherine Berry, one of the petitioners for this variance, I support the raising of the roof at 125-127 Webster St. I have lived in Arlington my entire life, first on Mill St, and for the last 65 years at 47 Palmer St with my husband Frank. Three of our daughters, Kate's mother included, also stayed in Arlington to raise their families here. It is very important to us that my granddaughter and her fiancé Lucas Weaver, who have otherwise been priced out of buying a house or condo in Arlington, be able to stay in their hometown and live close to their loved ones. Kate currently stays with us, and regularly assists with medical care for her grandfather who is at home on hospice; we hope she will be able to live close by and continue visiting us once she is married and moves away. As a family-oriented town, it is in Arlington's interests not to prevent a young couple from remaining local, so that they can continue to support the schools, communities, shops, and natural areas that are dear to them.

A handwritten signature in cursive script, reading "Teresa M. Vaughan", is written over a horizontal line.

Teresa Vaughan
47 Palmer St

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of **Bruce McKenna**
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Seeking a Special Permit to increase the square footage of living space in the house,
as well as create a modification of the exterior appearance of the structures. The
design set forth is in accordance with all rules and regulations for buildings in Zone
R2.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at
125/127 Webster St. with respect to such relief is sought; that no unfavorable action
has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within
the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full
compliance with any and all conditions and qualifications imposed upon this permission, whether by
the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant
represents that the grounds for the relief sought are as follows:

To increase the living space of the second floor apartment within the confines of the
existing foundation, which will involve the redesigning of the top 1/2 story of the
house not above 1/2 the square footage of the current residence but will involve
adjusting the exterior facade.

E-Mail: bmckenna50@yahoo.com Signed: _____ Date: _____
Telephone: 781-696-3939 Address: 125/127 Webster st., Arlington, MA 02474

Special Permit Criteria (3.3.3):

A. Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Under Section 5.4.2.A on Page 61 Table R District Building Height and Floor Area Ratio Regulations states that houses in Zone R2 can have a building height of 35ft. and 2 ½ stories. Both these requirements are met in these designs.

B. Explain why the requested use is essential or desirable to the public convenience or welfare.

The requested use is desirable to the public welfare for the following reasons:

- a. It will allow the next generation of long-term Arlington residents to live in the house/neighborhood they grew up in and raise another generation in the town, thus maintaining residents and families in the neighborhood over time.
- b. With expansion of the second floor unit, if the property were to exchange ownership, future owners are more likely to stay in the neighborhood instead of (as is common) young families moving out of the neighborhood for bigger homes as families grow, thus maintaining a more communal feeling in the area.
- c. Many neighboring houses are completing or have completed similar projects, and this project keeps in compliance with these projects, all of which increase the potential for more long term, owner-occupant residences in the neighborhood.

C. Explain why the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

The requested use will not create any undue traffic congestion or unduly impair pedestrian safety as it is making no changes to street or walkways and is not increasing the number of household members, thus will not increase the number of vehicles in use at this address.

Furthermore, as this addition is intended for the allowance of a single family to continue to live in this home, (currently 3 generations) the likelihood is that

there will be a need for fewer vehicles as compared to a house with multiple families or multiple renters.

D. Explain why the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The requested use will have practically no effect on the drainage or sewer system as there will not be an increase in the number of members of the household, thus not increasing water usage. While the plans do include adding a second bathroom, this is standard for the neighborhood and community as there is currently only one bathroom in the unit, and adding a second one only adds convenience, but as all members of the unit currently share one bathroom, adding a second will not increase usage by any notable amount.

E. Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

Special regulations are fulfilled as this construction project does not increase the non-conforming nature of an already non-conforming two-family house in zoning district R2. (See 8.1.3.A) The project is confined to the current foundation of the house and will not change the peak height of the structure.

Also, while there will be an increase in the gross floor area to the structure, it will not exceed 40% as is designated by zoning bylaw 8.1.2.C.

F. Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The requested use is similar in many ways to dozens of other projects that are occurring and have occurred in the neighborhood, and thus would be in compliance with the character of the district and adjoining districts. (See attached photos of neighboring houses within a 1 block radius of 125 Webster st.)

In regards to the adjoining lots, one lot will not be affected whatsoever, and the neighboring lot on Webster st. will be affected minimally by the heightened roofline and some small loss of morning sunlight, but not in any meaningful way.

This use, not only is in compliance with neighborhood, it is beneficial in many ways, as mentioned previously, it will allow for another generation to be raised in the same household, retaining the essence by allowing current and long-term Arlington residents to remain in their household by making room for the next generation's use. It will also increase the popularity of the neighborhood for more occupant-owner residents and thus increase the permanence and care for the neighborhood in the coming years.

G. Explain why the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The requested use, as mentioned before, will not increase the number of residents in the current household, and thus will not change any habits regarding traffic or use in the neighborhood.

The current residents of the upper floor unit are the owners and their adult son with the first floor being rented to an elderly parent in need of care. The addition is to allow for more living space for the owners and their son on the second floor so that the son can continue to live in Arlington and begin to plan a future with a family to be raised in the same house, while still caring for the his parents (current owners) as they age and his aging grandmother, thus not changing any aspect of the current situation of the household.

This use could be considered a positive for the neighborhood, as it maintains the familial nature of this part of Arlington and, again, allows for long-term residents to begin to make plans for a future generation to be raised in the town and in the same house, maintaining the character of the neighborhood by maintaining its residents.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 125/127 WEBSTER ST. Zoning District: R2
2. Present Use/Occupancy: TWO-FAMILY No. of dwelling units 2
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
5,429 Sq. Ft.
4. Proposed Use/Occupancy: 2 FAMILY No. of dwelling units 2
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
5,869 Sq. Ft.

6. Lot size (Sq. Ft.)
7. Frontage (Ft.)
8. Floor area ratio
9. Lot Coverage (%)
10. Lot Area per Dwelling Unit (Sq. Ft.)
11. Front Yard Depth (Ft.)
12. Left Side Yard Depth (Ft.)
13. Right Side Yard Depth (Ft.)
14. Rear Yard Depth (Ft.)
15. Height (Stories)
16. Height (Ft.)
17. Landscaped Open Space (Sq. Ft.)
Refer to Section 2 in the Zoning Bylaw.
- 17A. Landscaped Open Space (% of GFA)
18. Usable Open Space (Sq. Ft.)
Refer to Section 2 in the Zoning Bylaw.
- 18A. Usable Open Space (% of GFA)
19. Number of Parking Spaces
20. Parking area setbacks (if applicable)
21. Number of Loading Spaces (if applicable)
22. Type of construction
23. Slope of proposed roof(s) (in. per ft.)

Present Conditions	Proposed Conditions	Min. or max Required by Zoning
4,934	4,934	min. 6,000
68.72	68.72	min. 60
NA	NA	max. NA
35%	35%	max 35%
NA	NA	min. NA
9	9	min. 20
16	16	min. 10
10 1/2	10 1/2	min. 10
19	19	min. 20
2.5	2.5	max. 2.5
34	34	max. 35
1,923	1,923	
35.4%	32.2%	min.
623	683	
0.00%	0.00%	min. 0.00%
5	5	min. 2
NA	NA	min. NA
NA	NA	min. NA
WOOD	WOOD	N/A
9.5/12	2 5/8 /12	min. ✓

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 125/127 WEBSTER ST. Zoning District: R2

OPEN SPACE*

	EXISTING	PROPOSED
Total lot area	<u>4,934</u>	<u>4,934</u>
Open Space, Usable	<u>623</u>	<u>683</u>
Open Space, Landscaped	<u>1,923</u>	<u>1,923</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	<u>—</u>	<u>—</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>1242</u>	<u>1242</u>
1 st Floor	<u>1580</u>	<u>1580</u>
2 nd Floor	<u>1756</u>	<u>1756</u>
3 rd Floor	<u>—</u>	<u>873</u>
4 th Floor	<u>—</u>	<u>—</u>
5 th Floor	<u>—</u>	<u>—</u>
Attic (greater than 7'-0" in height, excluding elevator machinery; or mechanical equipment)	<u>634</u>	<u>228</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>—</u>	<u>—</u>
All weather habitable porches and balconies	<u>217</u>	<u>217</u>
Total Gross Floor Area (GFA)	<u>5,429</u>	<u>5,869</u>

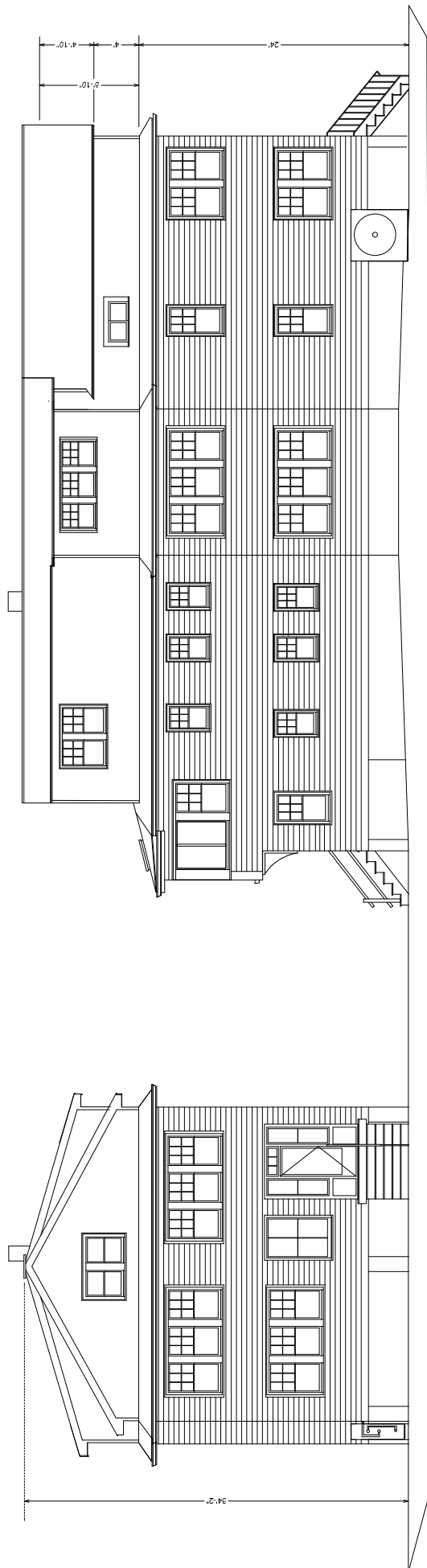
† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

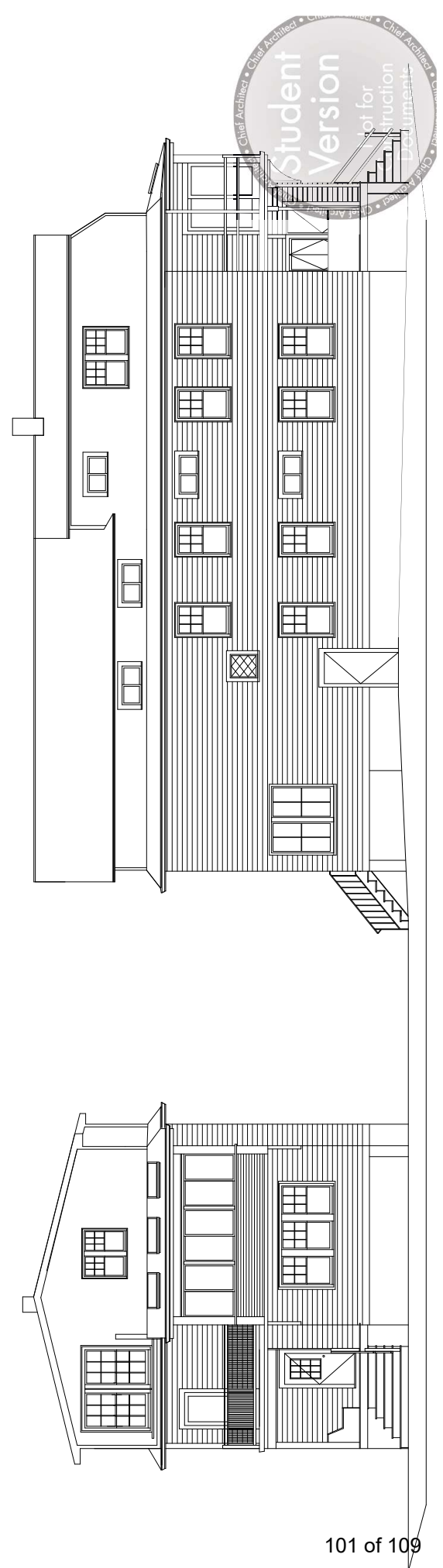
Landscaped Open Space (Sq. Ft.)	<u>1,923</u>	<u>1,923</u>
Landscaped Open Space (% of GFA)	<u>35.4%</u>	<u>32.2%</u>
Usable Open Space (Sq. Ft.)	<u>623</u>	<u>683</u>
Usable Open Space (% of GFA)	<u>11.5%</u>	<u>11.5%</u>

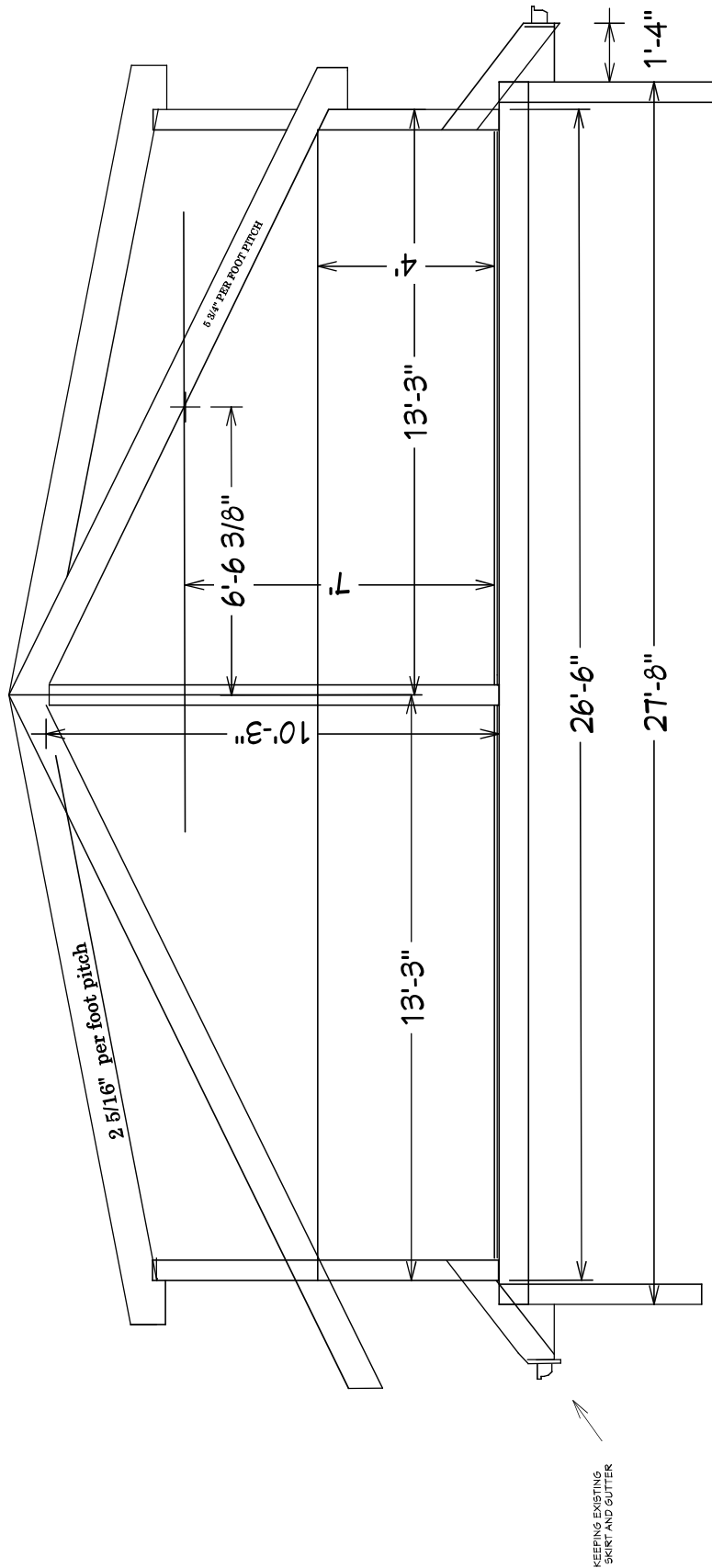
This worksheet applies to plans dated _____ designed by _____

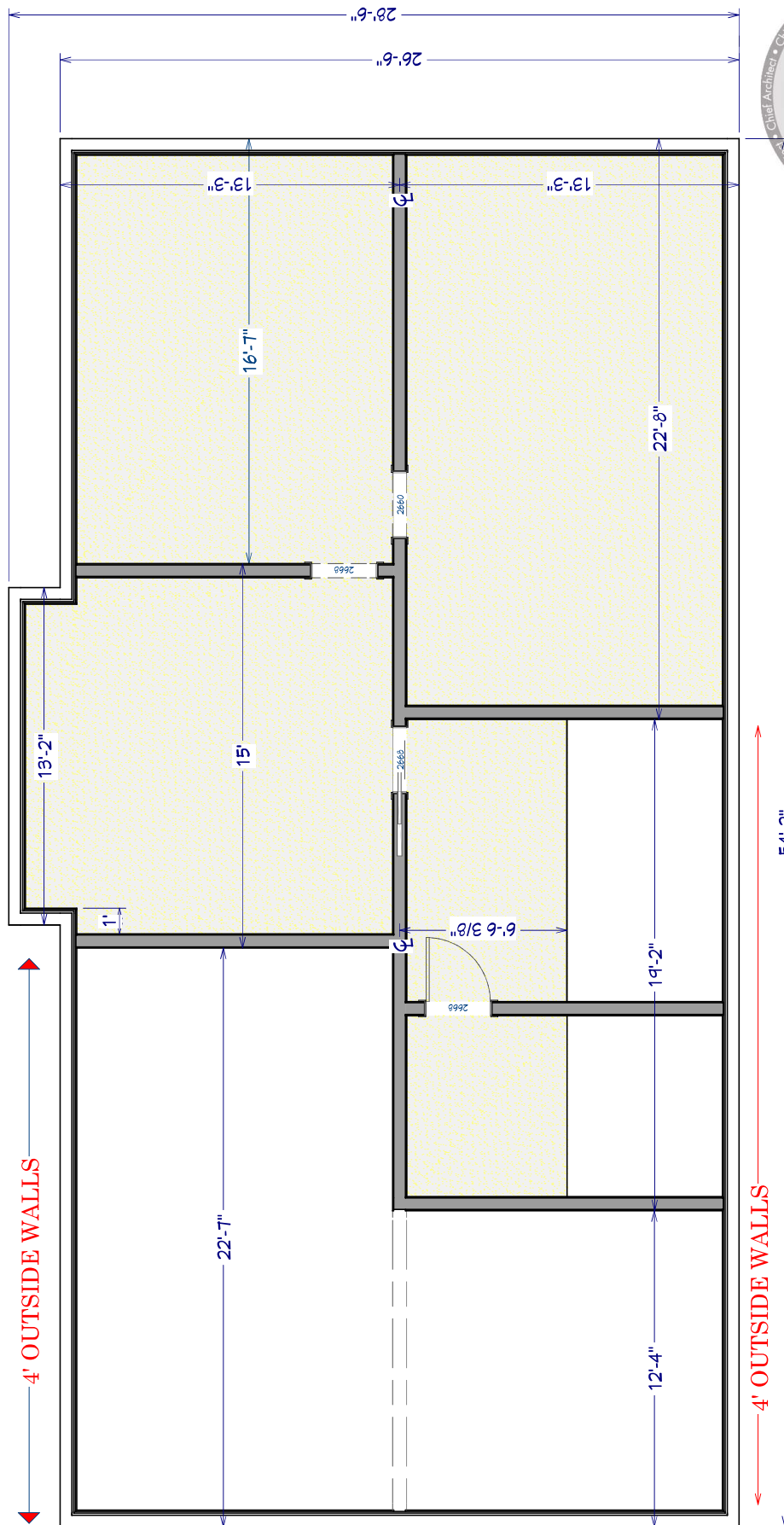
Reviewed with Building Inspector: _____ Date: _____



**3RD FLOOR G.F.A. 840 S.F.
LESS THAN 50% G.F.A. 2ND FLOOR
SPECIAL PERMIT ONLY**



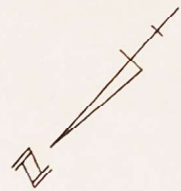




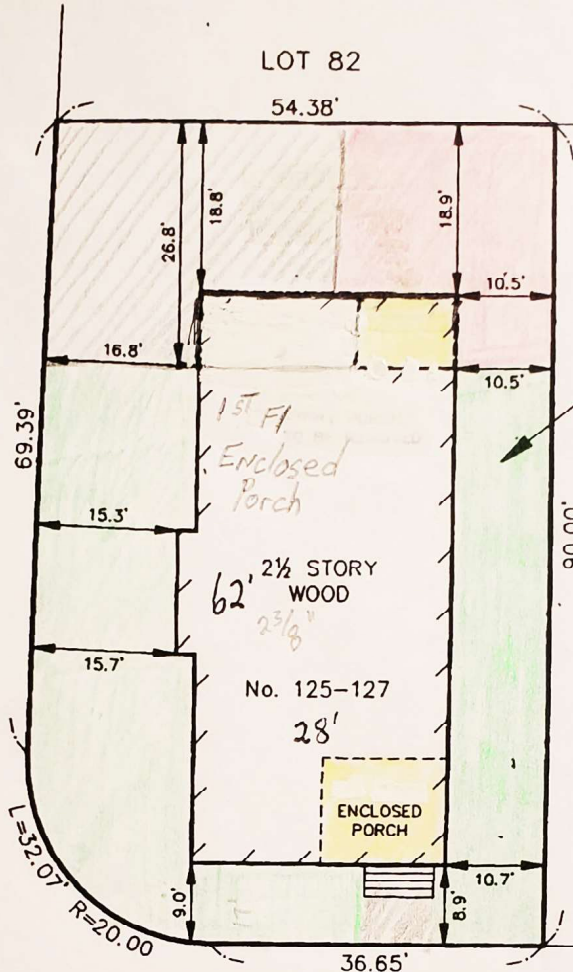
Special Permit
49% of 2nd floor G.F.A

LIVING AREA
873 SQ FT

MANSARD ROOF



HAMLET STREET



LOT 36
A = 4,934 s.f.
B = 1,762 s.f.

LOT 37

WEBSTER STREET

35%

B = Building Footprint



driveway 626 sq ft



Landscaped 1923 sq ft



Patio 623 sq ft



common porch 208 sf

PLOT PLAN OF LAND
LOCATED IN
ARLINGTON, MASS.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY AND THAT THE BUILDING IS LOCATED ON THE GROUND AS SHOWN.

Angelo B. Veneziano 5/19/99
ANGELO B. VENEZIANO, P.E. - P.L.S. date



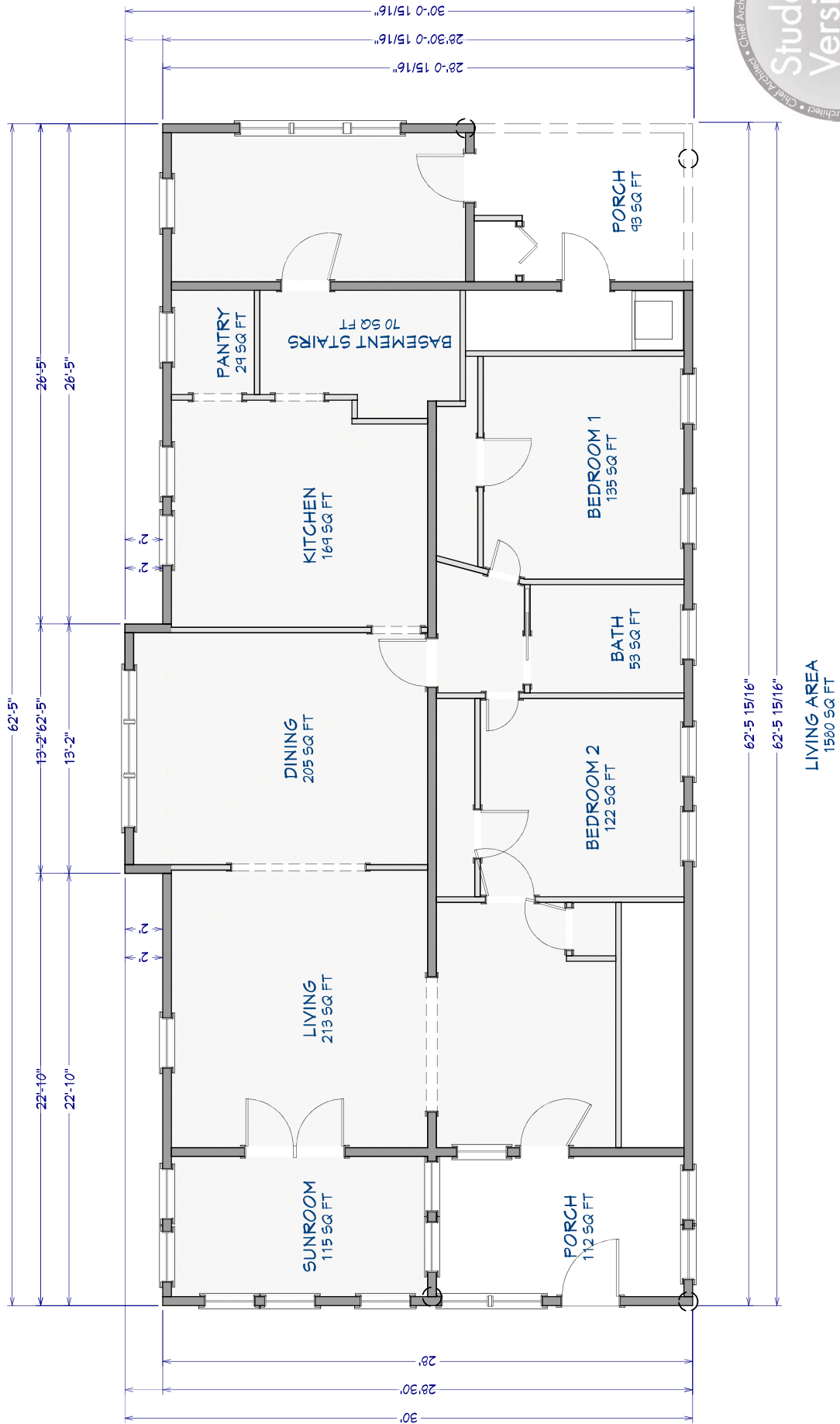
PREPARED BY:
MEDFORD ENGINEERING & SURVEY
15 HALL ST. MEDFORD, MA. 02155
ANGELO B. VENEZIANO - PE & PLS
781-396-4466 fax: 781-396-8052

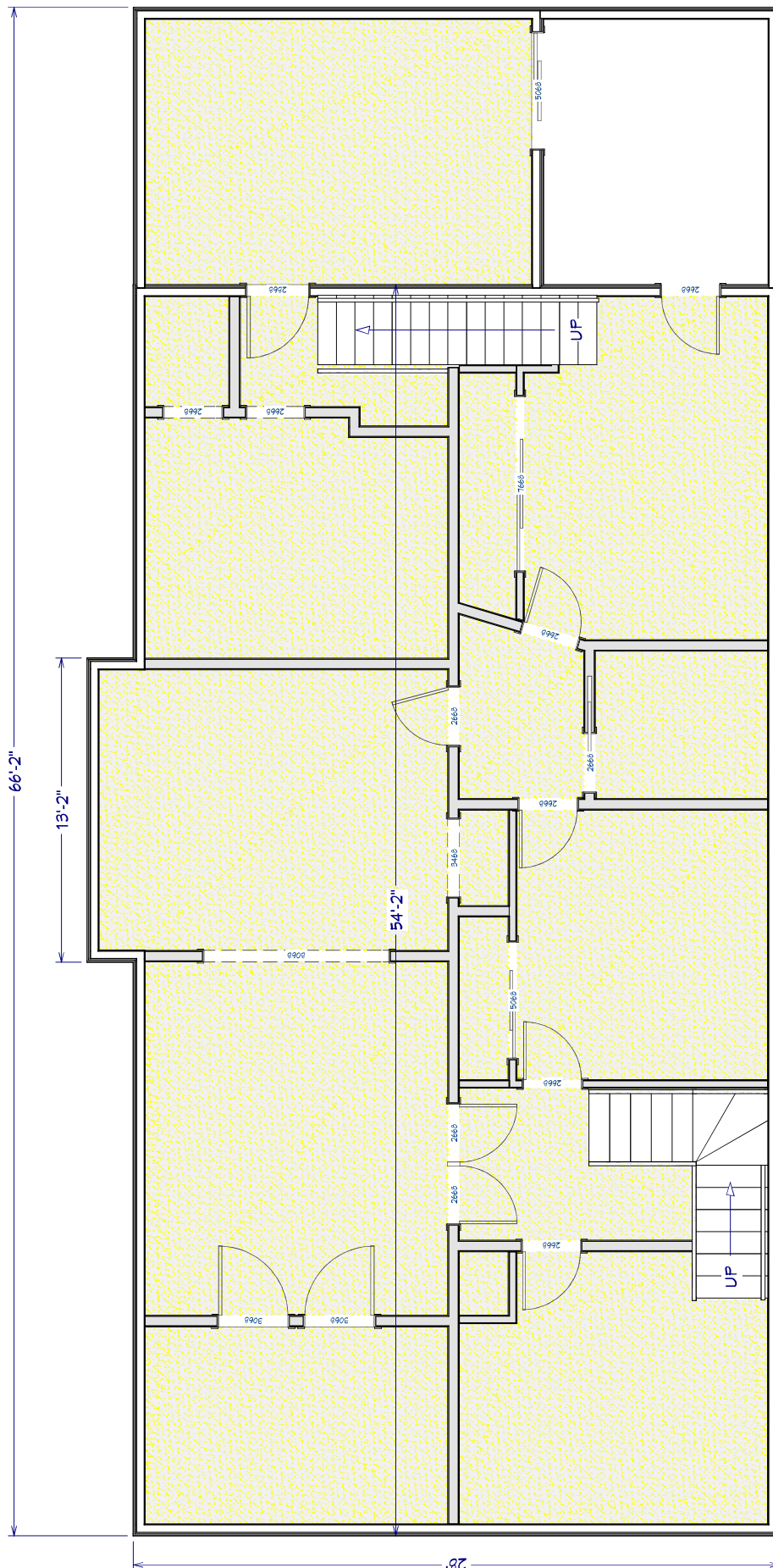
SCALE: 1" = 20'

TITLE REF: BK. 19807 PG. 514

DATE: MAY 3, 1999

FILE No. 13213





2nd floor G.F.A.
LIVING AREA
1756 SQ FT

